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Attorneys for Court-Appointed Receiver R. Wayne Klein

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH CENTRAL DIVISION

R. WAYNE KLEIN, as Receiver,	
Plaintiff,	COMPLAINT
v. AMERICAN EXPRESS TRAVEL RELATED SERVICES CO., INC. AND AMERICAN EXPRESS CO., INC.,	(Ancillary to Case No. 2:12-cv-00591) Civil No
Defendants.	

R. Wayne Klein, the Court-Appointed Receiver (the "Receiver" or "Plaintiff") of

National Note of Utah, LC ("<u>National Note</u>"), its subsidiaries and affiliates (collectively, unless otherwise stated, National Note and all subsidiaries and affiliated entities are referred to herein as "<u>NNU</u>"), and the assets of Wayne LaMar Palmer ("<u>Palmer</u>"), in the case styled as *Securities and Exchange Commission v. National Note of Utah, LC et al.*, Case No. 2:12-cv-00591 (D. Utah) (Jenkins, J.) (the "<u>SEC Civil Enforcement Case</u>"), hereby files this Complaint against American

Express Travel Related Services Co., Inc. and American Express Co., Inc. (together, "<u>Defendant</u>"), and states, alleges and avers as follows:

STATEMENT OF THE CASE

1. NNU was operated as an enterprise with all of the characteristics of a Ponzi scheme through which money was solicited from investors.¹ Upon information and belief, Defendant is an entity that received funds from NNU, and the Receiver seeks to avoid the transfers and/or recover the value of the transfers from Defendant for the benefit of the receivership estate established in the SEC Civil Enforcement Case discussed in greater detail below.

PARTIES

2. Pursuant to an Order Appointing Receiver and Staying Litigation entered on June 25, 2012 in the SEC Civil Enforcement Case (the "<u>Receivership Order</u>"),² Plaintiff is the duly-appointed Receiver for National Note and the assets of Palmer "together with any and all subsidiaries and affiliated entities of National Note and Palmer. . . . "³

3. Upon information and belief, American Express Travel Related Services Co., Inc. is an entity that does business in the State of Utah.

4. Upon information and belief, American Express Co., Inc. is an entity that does business in the State of Utah.

¹ See SEC Civil Enforcement Case, Docket No. 1 (Complaint).

² SEC Civil Enforcement Case, Docket No. 9.

³ *Id.* (Receivership Order, pp. 1-2).

JURSIDICTION AND VENUE

- 5. Subject matter jurisdiction is proper in this Court pursuant to 28 U.S.C. §1367.
- 6. The Court has personal jurisdiction over Defendant.
- 7. Venue is proper in this Court pursuant to 28 U.S.C. § 754.

FACTS

The Ponzi Scheme

8. Since at least 1994 until the commencement of the SEC Civil Enforcement Case, NNU raised capital by soliciting investors to purchase promissory notes, which typically promised to pay interest at a rate above market rates.

9. Upon information and belief, investors understood that they were investing in an enterprise that, among other things, bought and sold mortgage notes, underwrote and made loans, or bought and sold real estate assets through National Note, or one of many affiliated entities subject to the Receivership Order, all of which are referred to herein collectively as "<u>NNU</u>."

10. Typically, investment funds were deposited in a commingled bank account controlled by NNU.

11. At all times relevant hereto, NNU was insolvent.

The SEC Civil Case and the Receiver's Appointment

12. On June 25, 2012, the SEC Civil Enforcement Case was filed, alleging that NNU is a Ponzi scheme, and seeking, among other things, orders (a) restraining and enjoining NNU and Palmer from continuing to violate federal securities laws, (b) freezing assets and prohibiting NNU from transferring, changing, wasting, dissipating, converting, concealing, or otherwise disposing of assets, (c) prohibiting NNU from destroying, mutilating, concealing, transferring,

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altering, or otherwise disposing of NNU's books and records, (d) imposing civil money penalties against NNU and Palmer, and (e) requiring the disgorgement by NNU and Palmer of all ill-gotten gains received by them pursuant to the scheme.⁴

13. Also on June 25, 2012, as a result of the filing of the SEC Civil Enforcement Case, the Court entered a Temporary Restraining Order and Order to Show Cause against the defendants⁵ and the Receivership Order appointing the Receiver.⁶ Since that time, both National Note and Palmer have stipulated to a Preliminary Injunction Order that prohibits National Note and Palmer from committing any further acts in furtherance of the Ponzi scheme and that prohibits National Note and Palmer from withdrawing, transferring, selling, buying, pledging, encumbering, assigning, dissipating, concealing, or otherwise disposing of any of their assets.⁷

14. On or about May 21, 2013, the Court entered an Order authorizing the Receiver to commence legal proceedings for the benefit of and on behalf of the receivership estate.⁸

The Fraudulent Transfers

15. Upon information and belief, prior to the filing of the SEC Civil Enforcement Case, funds from NNU's comingled accounts in at least the amount of \$1,393,225.05 were transferred to Defendant relating to outstanding balances on credit card(s) issued by Defendant (all transfers to Defendant, including additional transfers that may be found through discovery or otherwise, are referred herein as the "<u>Transfers</u>"). The Transfers to the Defendant from January

⁴ SEC Civil Enforcement Case, Docket No. 1 (Complaint).

⁵ Id., Docket No. 7.

⁶ *Id.*, Docket No. 9.

⁷ *Id.*, Docket Nos. 45 and 46.

⁸ *Id.*, Docket No. 315.

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1, 2007 forward are itemized in the schedule attached hereto as <u>Exhibit A</u>, which schedule is incorporated herein by reference. To the extent additional transfers are found through discovery or otherwise, the Receiver will seek recovery of those transfers as well.

16. Upon information and belief, funds were also transferred to insiders of NNU, who used the funds to make payments to Defendant related to credit cards issued to NNU and/or insiders. To the extent that these transfers exit, they are included in the "<u>Transfers</u>" definition set forth above, and this Complaint may be amended to seek avoidance of such Transfers at a later date after further information is obtained.

FIRST CLAIM FOR RELIEF

(Avoidance of Fraudulent Transfers Under Utah Code Ann. §§ 25-6-5(1)(a) and 25-6-8)

17. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

18. NNU was engaged in an enterprise with all the characteristics of a Ponzi scheme.

19. The Transfers constitute an interest of NNU in property.

20. NNU made the Transfers to Defendant in furtherance of the Ponzi scheme.

21. At all relevant times hereto, NNU had at least one creditor.

22. The Transfers were made and any obligations to Defendant were incurred with actual intent to hinder, delay or defraud a creditor of NNU.

23. Pursuant to Utah Code Ann. §§ 25-6-5(1)(a) and 25-6-8, the Receiver may avoid and recover the Transfers to Defendant for the benefit of the receivership estate.

SECOND CLAIM FOR RELIEF

(Avoidance of Fraudulent Transfers Under Utah Code Ann. §§ 25-6-5(1)(b) and 25-6-8)

24. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

25. NNU was engaged in an enterprise with all the characteristics of a Ponzi scheme.

26. NNU made the Transfers to Defendant in furtherance of the Ponzi scheme.

27. At all relevant times hereto, NNU had at least one creditor.

28. The Transfers were made or the obligations to Defendant were incurred by NNU without receiving a reasonably equivalent value in exchange for the Transfers or obligations.

29. At the time the Transfers were made, NNU (a) was engaged or was about to be engaged in a business or transaction for which the remaining assets of NNU were unreasonably small in relation to the business or transaction; or (b) intended to incur, or believed or reasonably should have believed that it would incur, debts beyond its ability to pay as such debts became due.

30. Pursuant to Utah Code Ann. §§ 25-6-5(1)(b) and 25-6-8, the Receiver may avoid and recover the Transfers to Defendant for the benefit of the receivership estate.

THIRD CLAIM FOR RELIEF

(Avoidance of Fraudulent Transfers Under Utah Code Ann. §§ 25-6-6(1) and 25-6-8)

31. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

32. NNU was engaged in a Ponzi scheme.

33. NNU made the Transfers to Defendant in furtherance of the Ponzi scheme.

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34. NNU had at least one creditor at the time that the Transfers were made or the obligations to Defendant were incurred.

35. The Transfers were made or the obligations to Defendant were incurred by NNU without NNU receiving a reasonably equivalent value in exchange for the Transfers or obligations.

36. NNU was insolvent at the time the Transfers were made or the obligations were incurred, or became insolvent as a result of the Transfers or the obligations incurred.

37. Pursuant to Utah Code Ann. §§ 25-6-6(1) and 25-6-8, the Receiver may avoid and recover the Transfers to Defendant for the benefit of the receivership estate.

FOURTH CLAIM FOR RELIEF

(Constructive Trust)

38. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

39. The Transfers to Defendant were comprised of property of NNU and were made by NNU in furtherance of the Ponzi scheme.

40. Allowing Defendant to retain the Transfers would unjustly enrich Defendant and would be inequitable.

41. The Transfers can be traced to wrongful behavior.

42. An injustice would result if Defendant was allowed to keep the Transfers.

43. A constructive trust for the benefit of the receivership estate must be imposed for the benefit of the receivership estate in the amount of the Transfers made by NNU to Defendant.

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FIFTH CLAIM FOR RELIEF

(Unjust Enrichment)

44. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

45. The Transfers to Defendant were comprised of property of NNU and were made by NNU in furtherance of the Ponzi scheme.

46. The Transfers conferred a benefit upon Defendant.

47. Upon information and belief, the Defendant knowingly benefitted from the

Transfers.

48. Allowing Defendant to retain the Transfers would unjustly enrich Defendant and would be inequitable.

49. Absent return of the Transfers, the receivership estate will be damaged by Defendant's unjust enrichment and may have no adequate remedy at law.

50. Defendant must disgorge the amount of the Transfers for the benefit of the receivership estate.

SIXTH CLAIM FOR RELIEF (Disgorgement)

51. The Receiver re-alleges and incorporates herein by reference each of the preceding allegations as if set forth completely herein.

52. The Transfers were made as part of and in furtherance of a Ponzi scheme.

53. The Transfers were ill-gotten by Defendant.

54. Defendant has no claim to the Transfers made by NNU, or derivatively, from NNU's investors.

55. All Transfers made to Defendant should be disgorged to the Receiver for the benefit of the receivership estate.

PRAYER FOR RELIEF

WHEREFORE, the Receiver prays for Judgment against Defendant as follows:

A. Pursuant to the Receiver's First Claim for Relief, judgment against Defendant avoiding the Transfers under Utah Code Ann. §§ 25-6-5(a)(1) and 25-6-8, and permitting Plaintiff's recovery of the value of the Transfers.

B. Pursuant to the Receiver's Second Claim for Relief, judgment against Defendant avoiding the Transfers under Utah Code Ann. §§ 25-6-5(a)(2) and 25-6-8, and permitting Plaintiff's recovery of the value of the Transfers.

C. Pursuant to the Receiver's Third Claim for Relief, judgment against Defendant avoiding the Transfers under Utah Code Ann. §§ 25-6-6(1) and 25-6-8, and permitting Plaintiff's recovery of the value of the Transfers.

D. Pursuant to the Receiver's Fourth Claim for Relief, judgment against Defendant imposing a constructive trust for the benefit of the receivership estate on any and all Transfers.

E. Pursuant to the Receiver's Fifth Claim for Relief, judgment against Defendant for unjust enrichment, and requiring Defendant to disgorge the Transfers.

F. Pursuant to the Receiver's Sixth Claim for Relief, entry of an Order requiring Defendant to disgorge the Transfers.

G. Judgment for pre-judgment interest, costs, and fees, including reasonable attorney's fees, as may be allowed by law.

H. For such other and further relief as the Court deems just and proper.

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DATED this 24th day of June, 2013.

DORSEY & WHITNEY LLP

/s/ Peggy Hunt

Peggy Hunt Chris Martinez Nathan S. Seim Attorneys for Receiver

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			\$4,337.21	Acct 3715-419906-				American	13963	8/15/2008 Check	/8	1404
				82001				Express Open				
			\$4,549.16	Acct 3715-419906-				American	13896	7/14/2008 Check		1404
				82001				Express Open				
			\$4,150.29	Acct 3715-419906-				American	13848	6/12/2008 Check	6/	1404
				82001				Express Open				
			\$3,265.81	Acct 3715-419906-				American	13792	5/19/2008 Check	5/	1404
				82001				Express Open				
			\$5,202.68	Acct 3715-149906-				American	13735	4/14/2008 Check	4/	1404
				82001				Express Open				
			\$3,788.52	Acct 3715-419906-				American	13675	3/14/2008 Check	3/	1404
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			\$9,612.52	Acct 3715-419906-				American	13382	9/24/2007 Check		1404
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			\$4,980.09	Acct 3715-419906-				American	13167	5/25/2007 Check	5/	1404
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			\$7,397.96	Acct 3715-419906-				American	13051	4/13/2007 Check	4/	1404
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			\$5,433,13	Acct 3715-419906-				American	12993	3/16/2007 Check	3/	1404
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	\$5,273.79	Acct 3715-419906-		American		6/24/2010 Wire Out	1530
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	\$3,380.15	Acct 3715-419906-		American		5/24/2010 Wire Out	1530
		82001		Express			
	\$2,966.34	Acct 3715-419906-		American		4/22/2010 Wire Out	1530
		82001		Express Open			
	\$2,392.52	Acct 3715-419906-		American	14814	3/22/2010 Check	1404
100225052228764		82001		Express			
Elec Remit	\$1,079.96	Acct 3715-419906-		American		2/25/2010 Wire-Out	1404
		82001		Express			
Elec Remit	\$7,465.91	Acct 3715-419906-		American		1/28/2010 Wire-Out	1404
		82001		Express Open			
	\$3,122.03	Acct 3715-419906-		American	14700	12/24/2009 Check	1404
		82001		Express Open			
	\$3,482.73	Acct 3715-419906-		American	14611	11/16/2009 Check	1404
		82001		Express			
Elec Remit	\$4,592.70	Acct 3715-419906-		American		10/23/2009 Wire-Out	1404
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	\$1,826.87	Acct 3715-419906-		American	14577	9/21/2009 Check	1404
		82001		Express Open			
	\$5,991.31	Acct 3715-419906-		American	14511	8/13/2009 Check	1404
		82001		Express Open			
	\$5,122.56	Acct 3715-419906-		American	14484	7/13/2009 Check	1404
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		82001		Express Open			
	\$200.79	Acct 3715-419906-		American	14304	3/16/2009 Check	1404
090303052003092		82001		Express			
Elec Remit	\$1,693.38	Acct 3715-419906-		American		3/3/2009 Wire-Out	1404
		82001		Express Open			
	\$1.075.35	Acct 3715-419906-		American	14225	1/14/2009 Check	1404
		82001		Express Open			
	\$1,828.07	Acct 3715-419906-	0210-0002-1	American	14161	12/12/2008 Check	1404
081114053940501		82001		Express			
Elec Remit	\$1,653.38	Acct 3715-419906-		American		11/14/2008 Wire-Out	1404
		82001		Express Open			
	\$8,990.38	Acct 3715-419906-	1210-0024-8	American	14112	11/12/2008 Check	1404

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Elec Remit		82001	Express	Withdrawal	
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	\$500.00	Acct 3715-419906-	American	3/27/2012	1530
		82001	Express	Withdrawal	
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		82001	Express	Withdrawal	
	\$500.00	Acct 3715-419906-	American	1/30/2012 Electronic	3907
		82001	Express	Withdrawal	
Elec Remit	\$500.00	Acct 3715-419906-	American	12/28/2011 Electronic	3907
		82001	Express	Withdrawal	
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		82001	Express	Withdrawal	
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	\$2,826.44	Acct 3715-419906-	American	7/28/2011 Electronic	3907
		82001	Express	Withdrawal	
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		82001	Express		
	\$1,141.64	Acct 3715-419906-	American	3/25/2011 Wire Out	1530
		82001	Express		
	\$3,199.67	Acct 3715-419906-	American	2/28/2011 Wire Out	1530
		82001	Express		
	\$7,486.33	Acct 3715-419906-	American	1/27/2011 Wire Out	1530
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		82001	Express		
	\$4,914.31	Acct 3715-419906-	American	11/29/2010 Wire Out	1530
		82001	Express		
	\$4,779.03	Acct 3715-419906-	American	10/29/2010 Wire Out	1530
		82001	Express		
	\$9,167.48	Acct 3715-419906-	American	9/27/2010 Wire Out	1530
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728-248500-	14375 American	5/26/2009 Check
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/28-248500-	14361 American	4/20/2009 Check
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79008	Express	
Acct 3728-248500- \$8,381.01	14302 American	3/9/2009 Check
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Acct 3728-248500- \$14,787.65	14226 American	1/14/2009 Check
79008	Express	
0210-0002-1 Acct 3728-248500- \$39,255.64	14177 American 0210-0002-1	12/29/2008 Check
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/28-248500- \$2,244-73	American	11/5/2008 Wire-Out

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		79008	Express	Withdrawal	
	\$6,000.00	Acct 3728-248500-	American	3/29/2012 Electronic	3907
		79008	Express	Withdrawal	
	\$5,000.00	Acct 3728-248500-	American	2/28/2012 Electronic	3907
		79008	Express	Withdrawal	
	\$6,807.76	Acct 3728-248500-	American	1/27/2012 Electronic	3907
Remit		79008	Express	Withdrawal	
Elec	\$5,200.00	Acct 3728-248500-	American	12/29/2011 Electronic	3907
		79008	Express	Withdrawal	
	\$10,000.00	Acct 3728-248500-	American	11/29/2011 Electronic	3907
		79008	Express	Withdrawal	
	\$5,000.00	Acct 3728-248500-	American	10/27/2011 Electronic	3907
		79008	Express	Withdrawal	
	\$6,000.00	Acct 3728-248500-	American	9/29/2011 Electronic	3907
		79008	Express		
	\$6,000.00	Acct 3728-248500-	American	8/26/2011 Wire Out	1530
		79008	Express	Withdrawal	
	\$5,000.00	Acct 3728-248500-	American	7/29/2011 Electronic	3907
		79008	Express	Withdrawal	
	\$4,748.36	Acct 3728-248500-	American	6/29/2011 Electronic	3907
		79008	Express	Withdrawal	
	\$7,000.00	Acct 3728-248500-	American	5/27/2011 Electronic	3907
		79008	Express		
	\$6,153.12	Acct 3728-248500-	American	4/28/2011 Wire Out	1530
		79008	Express		
	\$19,908.96	Acct 3728-248500-	American	3/28/2011 Wire Out	1530
		79008	Express		2
	\$8,557.51	Acct 3728-248500-	American	2/28/2011 Wire Out	1530
		79008	Express		
	\$12,195.21	Acct 3728-248500-	American	1/27/2011 Wire Out	1530
		79008	Express		
	\$9,748.22	Acct 3728-248500-	American	12/30/2010 Wire Out	1530
		79008	Express		
	\$8,338.89	Acct 3728-248500-	American	11/29/2010 Wire Out	1530
		79008	Express		
	\$11,294.99	Acct 3728-248500-	American	10/29/2010 Wire Out	1530
		79008	Express		1
	\$7,587.43	Acct 3728-248500-	American	9/30/2010 Wire Out	1530
		79008	Express		
	\$11,453.04	Acct 3728-248500-	American	8/26/2010 Wire Out	1530
		79008	Express		
	\$11,620.76	Acct 3728-248500-	American	8/3/2010 Wire Out	1530

		3907		3907
	Withdrawal	5/25/2012 Electronic	Withdrawal	4/27/2012 Electronic
	Express	American	Express	American
	79008	Acct 3728-248500- \$13,000.00	79008	Acct 3728-248500- \$19,000.00
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Exprexx Elec Remit 120531052455832					
Balance; American		32004	Express	Withdrawal	
800 003 55 Ending	\$13,598.77	Acct 3732-749774-	American	6/1/2012 Electronic	3907
		32004	Express	Withdrawal	
	\$8,061.10	Acct 3732-749774-	American	4/30/2012 Electronic	3907
Balance		32004	Express	Withdrawal	
\$1,096.48 Ending	\$6,854.35	Acct 3732-749774-	American	4/2/2012 Electronic	3907
		32004	Express	Withdrawal	
	\$3,064.30	Acct 3732-749774-	American	2/28/2012 · Electronic	3907
\$6,711.33		32004	Express	Withdrawal	
Ending balance	\$2,278.13	Acct 3732-749774-	American	2/1/2012 Electronic	3907
\$63,416.66		32004	Express	Withdrawal	
Ending Balance	\$5,122.93	Acct 3732-749774-	American	1/3/2012 Electronic	3907
		32004	Express	Withdrawal	
	\$3,220.79	Acct 3732-749774-	American	11/30/2011 Electronic	3907
		32004	Express	Withdrawal	
	\$3,693.83	Acct 3732-749774-	American	10/31/2011 Electronic	3907
Close		32004	Express	Withdrawal	
\$14,276.08 Account	\$3,990-14	Acct 3732-749774-	American	10/3/2011 Electronic	3907
		32004	Express		
	\$5,365.00	Acct 3732-749774-	American	8/31/2011 Wire Out	1530
Close		32004	Express		
\$56,156.18 Account	\$3,563.08	Acct 3732-749774-	American	8/1/2011 Wire Out	3907
		32004	Express	Withdrawal	
	\$5,571.80	Acct 3732-749774-	American	6/29/2011 Electronic	3907
		32004	Express	Withdrawal	
	\$3,882.31	Acct 3732-749774-	American	5/27/2011 Electronic	3907
		32004	Express		
	\$6,191.80	Acct 3732-749774-	American	4/28/2011 Wire Out	1530
		32004	Express		
	42,758.39	Acct 3732-749774-	American	3/31/2011 Wire Out	1530

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Туре	American Express - Palmer, Wayne - 23001	Check			Wire Out		Wire Outs		1/17/2012 Electronic	Withdrawal	2/6/2012 Wire Outs		Electronic	Withdrawa!	Electronic	Withdrawal	6/6/2012 Electronic	Withdrawal
*		13071																
Originator / Beneficiary	:	American	Express	Centurion	American	Express	American	Express	American	Express	American	Express	American	Express	American	Express	American	Express
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Withdrawals Total Depo		\$55.00			\$313.12		\$100.00		\$362.70		\$28 67		\$633.62		\$500.00		\$1,000.00	
Total Deposits	\$0.00																	
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Notes	1)														American Express	ACH Pmt R0550Msp PPD ID: 2005032111	Elec Remit	120605052278194 PPD ID 2005032112

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JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

(b) County of Residence of First Listed Plaintiff Salt Lake County of Residence of First Listed Defendant Salt Lake (EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. (c) Attorneys (Firm Name, Address, and Telephone Number) Attorneys (If Known)	
Dorsey & Whitney, LLP 136 South Main Street #1000, SLC, UT 84101; 801-933-7360	
II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box	x for Plaintiff
I U.S. Government M 3 Federal Question Office (Incomposition of the state)	DEF
2 U.S. Government Defendant Image: A constraint of the principal place of Business In Another State Image: A constraint of the principal place of Business In Another State Image: A constraint of Business In Another State Image: A constate Image: A constraint of	5 🗇 5
Citizen or Subject of a 3 3 Foreign Nation	5 🗖 6
IV. NATURE OF SUIT (Place an "X" in One Box Only)	
CONTRACT TORTS FORFEITURE/PENALTY BANKRUPTCY OTHER STAT I 110 Insurance PERSONAL INJURY D 625 Drug Related Seizure D 422 Appeal 28 USC 158 D 375 False Claims A	
□ 110 Insurance PERSONAL INJURY PERSONAL INJURY □ 625 Drug Related Seizure of Property 21 USC 881 □ 422 Appeal 28 USC 158 □ 375 False Claims / 0 420 Withdrawal □ 120 Marine □ 310 Airplane □ 367 Fersonal Injury - Product Liability □ 690 Other □ 422 Mithdrawal □ 400 State Reapport □ 140 Negotiable Instrument □ 130 Airplane Product □ 367 Health Care/ □ 400 State Reapport □ 430 Banks and	ionment king enced and zations lit modities/ Actions zts Matters
Image: Display Section 2014 Product Liability Leave Act Act	
Medical Malpractice 790 Other Labor Litigation 896 Arbitration REAL PROPERTY CIVIL RIGHTS PRISONER PETITIONS 791 Employee Retirement FEDERAL TAX SUITS 899 Administrative 210 Land Condemnation 440 Other Civil Rights Habeas Corpus: Income Security Act 870 Taxes (U.S. Plaintiff or Defendant) Act/Review or Or Defendant) Act/Review or Or Defendant) Agency Decisi 220 Forcelosure 441 Voting 510 Motions to Vacate 871 IRS—Third Party 950 Constitutionali 240 Torts to Land 443 Housing/ Sentence Sentence 26 USC 7609 State Statutes	Appeal of m
290 All Other Real Property 445 Amer. w/Disabilities - 535 Death Penalty IMMIGRATION	
Employment Other: 462 Naturalization Application 446 Amer. w/Disabilities- 540 Mandamus & Other 465 Other Immigration Other 550 Civil Rights Actions 448 Education 555 Prison Condition Actions 560 Civil Detainee - Conditions of Confinement Confinement Actions	10
V. ORIGIN (Place an "X" in One Box Only)	
X 1 Original Proceeding □ 2 Removed from State Court □ 3 Remanded from Appellate Court □ 4 Reinstated or Reopened □ 5 Transferred from Another District (specify) 0 6 Multidistrict Litigation	
VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 754 Brief description of cause: Recovery of the value of transfers from Defendant for the benefit of the receivership estate.	
VII. REQUESTED IN COMPLAINT: Image: Complexity of the co	
VIII. RELATED CASE(S) IF ANY (See inviructions): JUDGE Jenkins DOCKET NUMBER 2:12-cv-00591	
DATE SIGNATURE OF ATTORNEY OF RECORD	
FOR OFFICE USE ONLY APPLYING IFP JUDGE MAG. JUDGE	