

FILED
U.S. DISTRICT COURT

2013 SEP 25 3:02

DISTRICT OF UTAH

BY: _____
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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

NATIONAL NOTE OF UTAH, LC, a Utah
Limited Liability Company and WAYNE
LaMAR PALMER, and individual,

Defendants.

**ORDER GRANTING RECEIVER'S
MOTION AND SUPPORTING
MEMORANDUM REQUESTING
ORDER APPROVING (1) PUBLIC
SALE OF PROPERTY FREE AND
CLEAR OF INTERESTS, (2)
METHOD AND FORM OF
PUBLICATION NOTICE, AND (3)
PUBLIC AUCTION PROCEDURES
(APPROXIMATELY 8.3 ACRES OF
REAL PROPERTY LOCATED IN
FAIRFIELD, UTAH, TAX ID NO.
59:065:0051)**

2:12-cv-00591 BSJ

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Motion and Supporting Memorandum Requesting Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, and (3) Public Auction Procedures (8.3 acres of Real Property*

Located in Fairfield, Utah, Tax ID No. 59:065:0051) (the "Motion"), filed by R. Wayne Klein, the Court-appointed Receiver (the "Receiver") in the above-captioned case. The Court has reviewed the Motion, the *Declaration of R. Wayne Klein in Support of the Motion*, including all Exhibits and papers related thereto, and applicable law. Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED**.
2. The sale of approximately 8.3 acres of real property located south of SR73 and east of 18150 West in Fairfield, Utah, Tax ID No. 59:065:0051 (the "Property") is **APPROVED**, free and clear of all liens against such Property, with valid liens attaching to the Property's sale proceeds, as set forth in the Motion.
3. The method of auction and form of the publication notice set forth in the Motion are **APPROVED**. The following notice shall be published in (a) *The Salt Lake Tribune*, a newspaper generally circulated in Salt Lake City, Utah; and (b) *The Daily Herald*, a newspaper generally circulated in Utah County, Utah, once a week for a period of four weeks prior to the public sale:

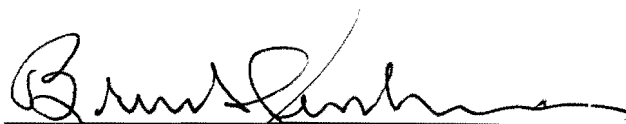
R. Wayne Klein, Receiver for National Note of Utah, LC and its affiliated entities (the "Receiver") in the civil case styled as *Securities and Exchange Comm. v. National Note of Utah, LC et al.*, Civ. Case No. 2:12-cv-00591 (D. Utah) ("Civil Case"), gives notice of his intent to sell approximately 8.3 acres of real property situated south of SR73 and east of 18150 West in Fairfield, Utah, Tax ID No. 59:065:0051 (the "Property") through public auction to the highest bidder payable in lawful money of the United States on the ___ day of _____, 2013 at the hour of ____ on the Property at the above stated address, or as may be continued from time to time by the Receiver (the "Auction"). The Property will be sold at the Auction free and clear of all interests, "AS IS" with no representations and warranties. The Receiver has accepted an initial bid of \$25,000.00 to act as the opening bid at the Auction. Only "Qualified Bidders" may participate in the Auction. To be a Qualified Bidder, you must comply with the "Auction Procedures" that

have been approved in the Civil Case, which Auction Procedures may be obtained upon request to the Receiver's counsel at: Dorsey & Whitney LLP, Attn: Nathan Seim, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101, or seim.nathan@dorsey.com.

4. The Auction Procedures, attached to the Motion as Exhibit B, are **APPROVED**.

DATED this 25th day of Sept., 2013.

BY THE COURT:



Honorable Bruce S. Jenkins
U.S. District Court Judge