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Attorneys for Court-Appointed Receiver R. Wayne Klein

**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 APPROVING (1) PUBLIC  
SALE OF PROPERTY FREE AND  
CLEAR OF INTERESTS, (2)  
METHOD AND FORM OF  
PUBLICATION NOTICE, AND (3)  
PUBLIC AUCTION PROCEDURES**

**(ELKHORN RIDGE LOT # 2)**

2:12-cv-00591 BSJ

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Motion and Memorandum in Support 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 (Elkhorn Ridge Lot # 2)* (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above captioned case. The Court has reviewed the Motion and the *Declaration of R. Wayne Klein, Receiver*, together with all of the Exhibits attached thereto, all other papers filed related thereto, and applicable law. Based thereon, and for good cause appearing,

**IT IS HEREBY ORDERED** that:

1. The Motion is **GRANTED**; and
2. The sale of a 2.5 acre parcel of real property within the "Elkhorn Ridge" subdivision, located in Oneida County, near Malad, Idaho, and more particularly described as: Lot 2 of Elkhorn Ridge Estates Subdivision, Recorded in Oneida County, Idaho Recorders office on September 17, 2007 under instrument number 141595 (the "Property") is **APPROVED** free and clear of all liens against such property, with valid liens to attach to sales proceeds.
3. The method and form of the publication notice as set forth in the Motion are **APPROVED**. The following notice of the sale for the Property shall be published in *The Idaho Enterprise*, a newspaper published in Oneida County, Idaho, 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 certain real property known as Lot 2 of Elkhorn Ridge Estates Subdivision, Recorded in Oneida County, Idaho Recorders office on September 17, 2007 under instrument number 141595 (the "Property"), through a 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 \$31,500.00 with a \$1,000.00 down payment to act as the opening "Stalking Horse Bid" at 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 on the Receiver's website (<http://www.kleinutah.com/index.php/receiverships/national-note-of-utah-lc>) or upon request made to the Receiver's counsel at: Dorsey & Whitney LLP, attn: Michelle Montoya, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101; [montoya.michelle@dorsey.com](mailto:montoya.michelle@dorsey.com). The deadline for Qualified Bidders to submit bids, or the "Bid Deadline," is 5:00 p.m. (Mountain), \_\_\_\_\_, 2013.

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

2:12-cv-591-BSJ

DATED this 22 day of oct, 2013.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read "Bruce S. Jenkins", written over a horizontal line.

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