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Attorneys for Court-Appointed Receiver R. Wayne Klein

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>NATIONAL NOTE OF UTAH, LC, a Utah Limited Liability Company and WAYNE LaMAR PALMER, and individual,</p> <p style="text-align: center;">Defendants.</p>	<p>RECEIVER'S MOTION SEEKING AUTHORIZATION TO SELL ELKHORN RIDGE CABIN LOT FREE AND CLEAR OF PURPORTED INTERESTS</p> <p>2:12-cv-00591 BSJ</p> <p>The Honorable Bruce S. Jenkins</p>
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R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") of National Note of Utah, LC, its subsidiaries and affiliates, and the assets of Wayne LaMar Palmer, by and through his counsel, respectfully requests that the Court authorize him to sell certain real property of the Receivership Estate, described more fully and defined in the Memorandum in Support as "Elkhorn Ridge Lot #1," located in Oneida County, near Malad, Idaho, pursuant to a "Purchase Agreement," or alternatively, a "Back Up Offer," as these terms are defined in the *Memorandum in Support* filed concurrently herewith. This Motion is supported by the referenced

Memorandum in Support as well as the *Declaration of Receiver R. Wayne Klein* (the “Receiver Declaration”), both of which have been filed concurrently herewith.

At this time, the Receiver has identified two purported interests against Elkhorn Ridge Lot #1, specifics of which are set forth in the Memorandum of Law, but as discussed in the Receiver Declaration, the Receiver has concluded that those interests are without any basis in law or fact. In light of those interests, the proposed sale of Elkhorn Ridge Lot #1 is made free and clear of any purported interests in the property, with any valid interests attaching to the “Net Sale Proceeds” as defined in the Memorandum in Support.

The Securities and Exchange Commission has informed the Receiver that it does not object to the sale as proposed. Accordingly, the Receiver hereby requests that the Court grant this Motion and authorize him to sell the Property as proposed.

A proposed Order is submitted herewith and attached hereto as Exhibit A.

DATED this 14th day of November, 2012.

DORSEY & WHITNEY LLP

/s/Peggy Hunt

Peggy Hunt

Jeffrey M. Armington

Attorneys for Receiver

CERTIFICATE OF SERVICE

I hereby certify that the above **RECEIVER'S MOTION FOR AUTHORIZATION TO SELL ELKHORN RIDGE CABIN LOT FREE AND CLEAR OF PURPORTED INTERESTS** was filed with the Court on this 14th day of November, 2012, and served via ECF on all parties who have requested notice in this case including:

Thomas M. Melton
Daniel J. Wadley
Paul N. Feindt
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Attorneys for Defendant Wayne Palmer

Furthermore, I certify that on the 14th day of November, 2012, the **MOTION** was served on the following parties by e-mail:

R. Wayne Klein
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Court-Appointed Receiver

Thomas M. Melton
Daniel J. Wadley
Paul N. Feindt
Alison J. Okinaka
SECURITIES AND EXCHANGE COMMISSION

