

FILED IN UNITED STATES DISTRICT COURT, DISTRICT OF UTAH

JUL -9 2014

D. MARK JONES, CLERK
BY _____
DEPUTY CLERK

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**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>ORDER GRANTING RECEIVER'S MOTION SEEKING AUTHORIZATION TO SELL AUTUMN RIDGE LOTS 16 & 39 FREE AND CLEAR OF PURPORTED INTERESTS SUBJECT TO HIGHER AND BETTER OFFERS</p> <p>2:12-cv-00591 BSJ</p> <p>The Honorable Bruce S. Jenkins</p>
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The matter before the Court is the Receiver's *Motion Seeking Authorization to Sell Autumn Ridge Lot 16 & 39 Free and Clear of Purported Interests Subject to Higher and Better Offers* (the "Motion") filed by R. Wayne Klein, the Court-appointed Receiver (the "Receiver") in

the above captioned case, seeking to sell free and clear of purported interests two pieces of real property described as follows:

- (a) real property located at 1149 E. Searle Lane, Eagle Mountain, Utah 84005, with the following legal description:

Lot 16, Autumn Ridge Phase 1 Subdivision, Recorded in Utah County, Utah, Recorder's office July 27, 2007 as instrument number 108734-2007; and

- (b) real property located at 1067 E. Searle Lane, Eagle Mountain, Utah 84005, with the following legal description:

Lot 39, Autumn Ridge Phase 1 Subdivision, Recorded in Utah County, Utah, Recorder's office July 27, 2007 as instrument number 108734-2007

(the "Property"). The proposed sale is to Sunstone Homes, but the sale was subject to higher and better offers.

A hearing on the Motion was conducted by the Court on July 8, 2014. Peggy Hunt, Dorsey & Whitney LLP, appeared on behalf of the Receiver, R. Wayne Klein, who was also present. Thomas M. Melton appeared on behalf of the Securities and Exchange Commission.

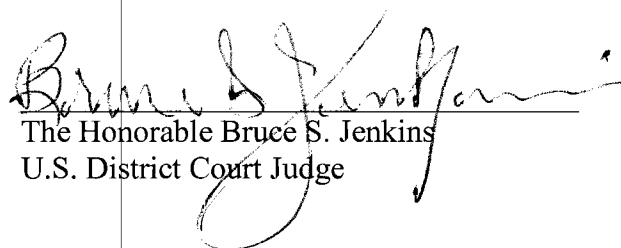
The Court has reviewed the Motion, the Receiver's *Memorandum in Support of the Motion*, the *Declaration of R. Wayne Klein, Receiver*, together with the Exhibits attached thereto, the *Receiver's Notice of Filing of Proofs of Publication*, and applicable law. The Court has also considered the representations of counsel made at the hearing. Notice of the Motion was properly given, and no objections to the Motion have been filed. The Receiver has received no higher and better offers for the Property. Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED that:

- (1) The Motion is **GRANTED**.
- (2) The Court **APPROVES** the sale of the Property to Sunstone Homes as set forth in in the Motion.
- (3) The Receiver is authorized to make payments from the proceeds of the Property sale as set forth in the Motion.
- (4) The Property shall be sold free and clear of all purported interests. Interests against the Property, if any, shall attach to the Net Sale Proceeds (as defined in the Motion) from the sale of the Property. The Receiver shall separately account for such Net Sale Proceeds until such time as the interests are released voluntarily, or a final order has been entered related to the validity of such interests.

DATED this th 9 day of July, 2014.

BY THE COURT:


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