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*Prepared and Submitted by:*

Peggy Hunt (#6060)

Chris Martinez (#11152)

John Wiest (#15767)

**DORSEY & WHITNEY LLP**

Kearns Building

136 South Main Street, Suite 1000

Salt Lake City, UT 84101-1685

Telephone: (801) 933-7360

Facsimile: (801) 933-7373

[hunt.peggy@dorsey.com](mailto:hunt.peggy@dorsey.com)

[martinez.chris@dorsey.com](mailto:martinez.chris@dorsey.com)

[wiest.john@dorsey.com](mailto:wiest.john@dorsey.com)

*Attorneys for Court-Appointed Receiver R. Wayne Klein*

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

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

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

Defendants.

**ORDER GRANTING RECEIVER'S *EX  
PARTE* MOTION AND  
MEMORANDUM IN SUPPORT  
SEEKING APPROVAL OF PROPOSED  
METHOD AND FORM OF  
PUBLICATION NOTICE FOR SALE  
OF REAL PROPERTY**

**(C-2, F-3, ALMOND HEIGHTS 14, 15,  
& 18)**

Civil No. 2:12-00591

The Honorable Bruce S. Jenkins

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The matter before the Court is the *Receiver's Ex Parte Motion and Memorandum in Support Seeking Approval of Proposed Method and Form of Publication Notice for Sale of Real Property (C-2, F-3, Almond Heights 14, 15, & 18)* (the "Motion") filed by R. Wayne Klein, the Receiver appointed in the above-captioned case (the "Receiver"). The Court has reviewed the Motion, and applicable law. Based thereon, and for good cause appearing,

**IT IS HEREBY ORDERED** that:

(1) The Motion is **GRANTED**.


(2) The method and form of the publication notice as set forth in the Motion are **APPROVED**. The following notice of the sale for "the Properties," as defined in the Motion, shall be published in *The Salt Lake Tribune*, a newspaper published in Salt Lake City, Utah, and the *St. George Spectrum*, a newspaper published in Washington County, Utah and distributed to Toquerville, Utah, for a period of one (1) day at least ten (10) days before the entry of any Order approving the proposed sale:

R. Wayne Klein, Receiver for National Note of Utah, LC and its affiliated entities 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 ("Civil Case"), gives notice of his intent to sell through private sale, and free of all liens and interests, certain parcels of real property with the following addresses and legal descriptions: 746 South Peachtree Drive, Toquerville, UT 84774, more specifically described as T-138-C-2 ("Lot C-2"); 736 South Peachtree Drive, Toquerville, UT 84774, more specifically described as T-138-F-3 ("Lot F-3"); 745 South Peachtree Drive, Toquerville, UT 84774, more specifically described as T-AHP-A-14 ("Almond Heights 14"); 755 South Peachtree Drive, Toquerville, UT 84774, more specifically described as T-AHP-A-15 ("Almond Heights 15"); and 785 South Peachtree Drive, Toquerville, UT 84774, more specifically described as T-AHP-A-18 ("Almond Heights 18"). The Receiver has accepted the following prices for the properties: Lot C-2 \$30,780.00; Lot F-3 \$31,635.00; Almond Heights 14 \$31,635.00; Almond Heights 15 \$29,925.00; and Almond Heights 18 \$27,360.00, subject to approval by the U.S. District Court for the District of Utah in the Civil Case and higher and better offers as allowed pursuant to 28 U.S.C. § 2001. The Receiver has filed a motion seeking the District Court's approval of the proposed sale. This motion for approval will come for a hearing before the Honorable Bruce S. Jenkins at 351 South West Temple, Salt Lake City, Utah on \_\_\_\_\_, 2016 at \_\_\_\_\_ am/pm in room 7.200. Any person wishing to submit a higher and better purchase offer, with such offer being at least 10% greater than the offer the Receiver has accepted, should present it in writing so that it is received no later than 10 days from the date of this notice to the Receiver's counsel at: Dorsey & Whitney LLP, attn: Michelle Montoya, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101. Any objections to the sale must be in writing and should be filed with the Court at the above address before the date of the hearing. Higher and better offers are invited.

2:12cv-591-BSJ

DATED this 5<sup>th</sup> day of January, 2016.

**BY THE COURT:**

  
The Honorable Bruce S. Jenkins  
United States District Court Judge