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U.S. DISTRICT COURT

Prepared and Submitted by:

Peggy Hunt (Utah State Bar No. 6060)
Chris Martinez (Utah State Bar No. 11152)
John Wiest (Utah State Bar No. 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
martinez.chris@dorsey.com
wiest.john@dorsey.com

Attorneys for Court-Appointed Receiver R. Wayne Klein

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

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
MOTION SEEKING
AUTHORIZATION TO SELL FIVE
TOQUERVILLE PROPERTIES FREE
AND CLEAR OF PURPORTED
INTERESTS SUBJECT TO HIGHER
AND BETTER OFFERS**

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

Civil No. 2:12-00591

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Motion Seeking Authorization to Sell Five Toquerville Properties Free and Clear of Purported Interests Subject to Higher and Better Offers and Memorandum in Support (C-2, F-3, Almond Heights 14, 15, & 18)* (the "Motion"), filed by R. Wayne Klein, the Court-appointed Receiver (the "Receiver"), seeking authority to sell real property with the following addresses:

- 746 South Peachtree Drive, Toquerville, UT 84774; T-138-C-2 (“Lot C-2”);
- 736 South Peachtree Drive, Toquerville, UT 84774; T-138-F-3 (“Lot F-3”);
- 745 South Peachtree Drive, Toquerville, UT 84774; T-AHP-A-14 (“Almond Heights 14”);
- 755 South Peachtree Drive, Toquerville, UT 84774; T-AHP-A-15 (“Almond Heights 15”); and
- 785 South Peachtree Drive, Toquerville, UT 84774; T-AHP-A-18 (“Almond Heights 18”)

(collectively, “the Properties”). In the Motion, the Receiver also seeks authorization to pay property taxes and standard costs of sale, including real estate commissions, and to satisfy the Stensland Trust Deed, from the net sale proceeds.

A hearing on the Motion was held on February 8, 2016, at 1:30 pm (the “Hearing”). At the Hearing, John Wiest of Dorsey & Whitney LLP appeared on behalf of the Receiver, who was also present. No other parties appeared and statements were made on the record.

The Court has reviewed the Motion, the Declaration of R. Wayne Klein in Support of the Motion, all other papers filed in conjunction with the Motion, the statements made on the record at the Hearing, and applicable law.

Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED that:

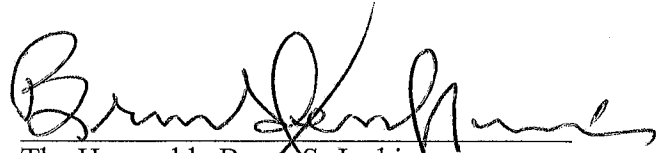
- (1) The Motion is **GRANTED**;
- (2) The Court **APPROVES** the Purchase Agreements; and
- (3) The Court **AUTHORIZES** the sale of the Property as set forth in the Motion and

pursuant to the Purchase Agreements to Rural Housing Development Corporation.

2:12cv591-BSJ

DATED this ^{7th}8 day of February, 2016.

BY THE COURT:



The Honorable Bruce S. Jenkins
United States District Court Judge