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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,

vs.

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

Defendants.

**RECEIVER'S STATUS REPORT ON
MOTION SEEKING ALLOWANCE OF
RECOMMENDED REDUCED CLAIMS
AND REQUEST FOR ENTRY OF
ORDER ON NON-OBJECTING
CLAIMANTS**

Civil No. 2:12-00591

The Honorable Bruce S. Jenkins

R. Wayne Klein, as receiver (the "Receiver") for Defendant National Note of Utah, LC, and the assets of Defendant Wayne LaMar Palmer, by and through his counsel of record, hereby files this *Status Report on Motion Seeking Allowance of Recommended Reduced Claims and Request for Entry of Order on Non-Objecting Claimants*.¹ In support hereof, the Receiver represents as follows.

¹ For privacy reasons, all claimants are identified herein by the number assigned to their Proof of Claim rather than by name. The Receiver has provided the Court with information about the identity of the claimants in camera.

I.

PROCEDURAL BACKGROUND

1. On March 4, 2016, the Receiver filed *Receiver's Initial Claims Report* (the "Initial Claims Report") [Docket No. 1088].
2. On March 14, 2016, the Receiver filed *Receiver's Motion Seeking Allowance of Recommended Reduced Claims and Memorandum of Law in Support* (the "Reduced Claims Motion") [Docket No. 1093], seeking an Order allowing 82 Proofs of Claim listed in Exhibit A to that Motion (the "Relevant Claimants") in amounts less than asserted in the Claimants' respective Proofs of Claim.
3. On March 21, 2016, the Receiver filed *Receiver's Certificate of Service Regarding (1) Receiver's Initial Claims Report, and (2) Motion Seeking Allowance of Recommended Reduced Claims* [Docket No. 1103], certifying that the Initial Claims Report and Reduced Claims Motion had been served on all Relevant Claimants as of March 21, 2016.
4. The Reduced Claims Motion clearly states on its face that Relevant Claimants were required to file an objection to the Reduced Claims Motion by no later than April 8, 2016 (the "Objection Deadline").
5. The Objection Deadline has passed, and out of the 82 total Relevant Claimants, no objection has been filed by 81 of them (the "Non-Objecting Claimants"). A list of the 81 Non-Objecting Claimants is set forth on Exhibit 1 to the proposed *Order Granting Receiver's Motion Seeking Allowance of Recommended Reduced Claims* (the "Proposed Order") attached hereto as **Exhibit A**. The Receiver's request for relief with regard to the Non-Objecting Claimants' Proofs of Claim is discussed in Part II below.

6. One (1) of the Relevant Claimants has objected to the Reduced Claims Motion. Relevant Claimant with Proof of Claim No. 1231 has filed an objection with the Court. *See* Docket No. 1108. The Receiver will file a separate response to this objection concurrently herewith. Thus, the present request does not pertain to Proof of Claim No. 1231.

II.

**REQUEST FOR ENTRY OF ORDER ALLOWING REDUCED PROOFS OF CLAIM
OF NON-OBJECTING CLAIMANTS**

7. The Initial Claims Report and the Reduced Claims Motion have been served on all of the Relevant Claimants.

8. The Reduced Claims Motion made clear on its face that any Relevant Claimant objecting to the proposed allowance of their Proof of Claim in a reduced amount was required to file an objection to the Reduced Claims Motion prior to the expiration of the Objection Deadline.

9. None of the Non-Objecting Claimants has filed an objection to the Reduced Claims Motion prior to the expiration of the Objection Deadline.

10. Accordingly, the Receiver requests that the Court enter Proposed Order attached hereto as **Exhibit A**, allowing the Proofs of Claim of the Non-Objecting Claimants in the recommended reduced amounts.

DATED this 11th day of April, 2016.

DORSEY & WHITNEY LLP

/s/ Peggy Hunt

Peggy Hunt

John J. Wiest

Attorneys for Receiver

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of April, 2016, the foregoing **RECEIVER'S STATUS REPORT ON MOTION SEEKING ALLOWANCE OF RECOMMENDED REDUCED CLAIMS AND REQUEST FOR ENTRY OF ORDER ON NON-OBJECTING CLAIMAINTS** was filed with the Court and served via ECF on all parties who have requested notice in this case.

/s/ John J. Wiest

I also hereby certify that on the 11th day of April, 2016, a true and correct copy of the foregoing **RECEIVER'S STATUS REPORT ON MOTION SEEKING ALLOWANCE OF RECOMMENDED REDUCED CLAIMS AND REQUEST FOR ENTRY OF ORDER ON NON-OBJECTING CLAIMAINTS** was served upon the person named below via email at the address set out below:

Verl Auer Jensen
vajensen@gmail.com

/s/ John J. Wiest

I hereby certify that on the 11th day of April, 2016, a true and correct copy of the foregoing **RECEIVER'S STATUS REPORT ON MOTION SEEKING ALLOWANCE OF RECOMMENDED REDUCED CLAIMS AND REQUEST FOR ENTRY OF ORDER ON NON-OBJECTING CLAIMAINTS** was served upon the persons named below, at the addresses set out below by U.S. mail:

Wayne L. Palmer
8816 South 2240 West
West Jordan, UT 84088

Verl Auer Jensen
10318 N. Golden Oak Ln.
Highland, UT 84003-9440

/s/ Suanna Armitage