

FILED
2016 MAY 25 PM 4:42
CLERK
U.S. DISTRICT COURT

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**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 DENYING IN PART AND
GRANTING IN PART RECEIVER'S
MOTION REQUESTING
DISALLOWANCE OF PROOFS OF
CLAIM AS TO PROOF OF CLAIM NO.
1386 SUBMITTED BY GERRIE PETTY**

Case No: 2:12-CV-591 BSJ

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Motion Requesting Disallowance of Proofs of Claim and Memorandum of Law in Support* [Docket No. 1092] (the "Motion"). On April 5, 2016, an *Objection to Receiver's Motion Requesting Disallowance of Proofs of Claim* [Docket No. 1120] (the "Objection") was filed on behalf of Gerrie Petty [Docket No. 1120] (the "Claimant").

The Claimant has submitted Proof of Claim No. 1386, asserting a claim in the total amount of \$32,010.00. In the Motion, the Receiver has requested that Proof of Claim No. 1233 be disallowed in its entirety because the Claimant had not sent any monies directly to National Note of Utah LC or to any of the Receivership Entities, but rather received a partial assignment of an investment account of an unrelated investor. Alternatively, the Receiver requests that if the Proof of Claim is allowed, that it be allowed in the reduced amount of \$30,690.00.

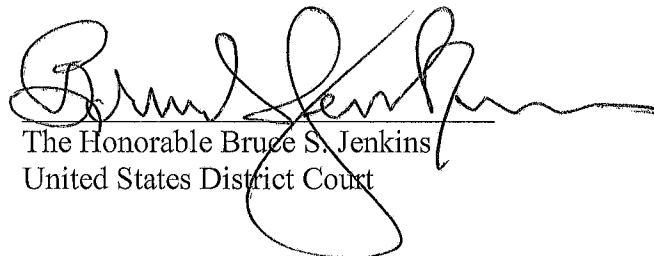
A hearing on the Motion was held on May 18, 2016. Peggy Hunt, Dorsey & Whitney LLP, appeared on behalf of the Receiver, who was also present. Carvel R. Shaffer appeared on behalf of the Claimant.

The Court has reviewed the *Receiver's Initial Claims Report* [Docket No. 1088]; the Motion and all Exhibits attached thereto; the *Certificate of Service Regarding (1) Receiver's Initial Claims Report, and (2) Motion Requesting Disallowance of Proofs of Claim* [Docket No. 1102]; the Objection; the representations of the Receiver and Claimant's counsel made on the record; and the record in this case. Based thereon and for good cause shown,

IT IS HEREBY ORDERED that:

- (1) The Motion is **DENIED IN PART** and **GRANTED IN PART**; and
- (2) Proof of Claim No. 1386 is **ALLOWED** in the reduced amount of \$30,690.00.

DATED this 25th day of May, 2016.


The Honorable Bruce S. Jenkins
United States District Court