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

<p>R. WAYNE KLEIN, as Receiver, Plaintiff, v. HARLEY FABRIZIUS, and JOHN DOES 1-5, Defendants.</p>	<p>ORDER GRANTING PLAINTIFF- RECEIVER'S MOTION FOR PARTIAL SUMMARY JUDGMENT</p> <p>2:13-cv-00472</p> <p>The Honorable Evelyn J. Furse</p>
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The Matter before the Court is the *Plaintiff-Receiver's Motion for Partial Summary Judgment* (the "Motion"). On January 30, 2015, the Receiver filed the Motion [Docket No. 23]. The Defendant did not respond to the Motion and on March 5, 2015, the Receiver filed a *Request to Submit for Decision Plaintiff's Motion for Partial Summary Judgment (First, Second, Third and Fifth Causes of Action)* (the "Request to Submit") [Docket No. 33], informing the Court that the Motion was unopposed and requesting that the Court decide the Motion. On March 6, 2015, the Court entered a *Docket Text Order* [Docket No. 34], granting the Motion based "on the reasons stated in the Motion and the lack of opposition."

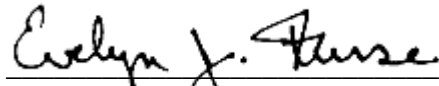
Based on the Motion, the *Declaration of Wayne Klein In Support of Plaintiff's Motion for Partial Summary Judgment*, the Request to Submit, the *Docket Text Order*, and applicable law,

IT IS HEREBY ORDERED THAT:

- (1) The Motion is **GRANTED**;
- (2) Summary Judgment is entered against Defendant Harley Fabrizius on Plaintiff R. Wayne Klein's First, Second, Third and Fifth Causes of Action in the amount of \$8,144.13.

Dated this 31st day of July, 2015

BY THE COURT:



Honorable Evelyn J. Furse
U.S. Magistrate Court Judge