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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 APPROVING (1) PUBLIC
SALE OF PROPERTY FREE AND
CLEAR OF INTERESTS, (2) METHOD
AND FORM OF PUBLICATION
NOTICE, AND (3) PUBLIC AUCTION
PROCEDURES**

(ELKHORN PROPERTY)

Civil No. 2:12-00591

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Motion Requesting Order Approving (1) Public Sale of Property Free and Clear of Interests, (2) Method and Form of Publication Notice, and (3) Public Auction Procedures and Memorandum in Support (Elkhorn Property)* [Docket No. 1178] (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above captioned case, related to the sale of certain real property comprised of 217 acres near Elkhorn Ridge in Malad, Oneida County, ID, with tax parcel numbers T-5776, -5777, -5778, and -5779 (the "Property").

Through the Motion, the Receiver is seeking (1) authorization to sell the Property at public sale to the highest and best offer, free and clear of all interests, (2) approval of the form and method of publication notice, and (3) approval of proposed auction procedures.

The Court has reviewed the Motion and the *Declaration of R. Wayne Klein, Receiver*, ("Receiver Declaration") [Docket No. 1179] together with all of the Exhibits attached thereto, all other papers filed related thereto, and applicable law. Based thereon, and for good cause appearing,

IT IS HEREBY ORDERED that:

1. The Motion is **GRANTED**.
2. The sale of the Property free and clear of interests as set forth in the Motion to the proposed buyer or a higher and better offeror at auction is **APPROVED**.
3. The method and form of the publication notice as set forth in the Motion are **APPROVED**. The following notice shall be published in *The Salt Lake Tribune*, a newspaper published in Salt Lake City, Utah, and in *The Idaho Enterprise*, a weekly newspaper published in Malad City, Oneida County, Idaho, once a week for a period of four weeks prior to the public sale:

R. Wayne Klein, Receiver for National Note of Utah, LC and its affiliated entities (the "Receiver") 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 (D. Utah) ("Civil Case"), gives notice of his intent to sell certain real property comprised of 217 acres near Elkhorn Ridge in Malad, Oneida County, ID, with tax parcel numbers T-5776, -5777, -5778, and -5779 (the "Property") through a public auction to the highest bidder payable in lawful money of the United States on the ___ day of _____, 2016 at the hour of ____ on the Property at the above stated address, or as may be continued from time to time by the Receiver (the "Auction"). The Property will be sold at the Auction free and clear of all interests, "as is" with no representations and warranties. The Receiver has accepted an initial bid of \$240,000.00 including a \$5,000.00 deposit to act as the opening "Stalking Horse Bid" at Auction. Only "Qualified Bidders" may participate in the Auction. To be a Qualified Bidder, you must comply with the "Auction

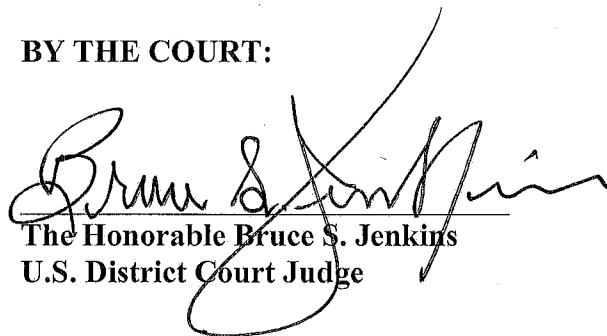
Procedures” that have been approved in the Civil Case, which Auction Procedures may be obtained upon request made to the Receiver’s counsel at: Dorsey & Whitney LLP, attn: Michelle Montoya, 136 South Main Street, Suite 1000, Salt Lake City, Utah 84101; montoya.michelle@dorsey.com.

4. The Auction Procedures described in the Motion and attached to the Motion as

Exhibit B are **APPROVED**.

DATED this 27th day of July, 2016.

BY THE COURT:



The Honorable Bruce S. Jenkins
U.S. District Court Judge