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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 RECEIVER'S
MOTION SEEKING APPROVAL OF
(A) PUBLIC SALE OF PROPERTY
FREE AND CLEAR OF INTERESTS,
(B) METHOD AND FORM OF
PUBLICATION NOTICE, (C)
AUCTION AGREEMENT, AND (D)
RELATED RELIEF**

(ELKHORN RIDGE ESTATES)

Civil No. 2:12-00591

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Motion Seeking Approval of (A) Public Sale of Property Free and Clear of Interests, (B) Method and Form of Publication Notice, (C) Auction Agreement, and (D) Related Relief and Memorandum in Support* [Docket No. 1439] (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above captioned case.

A hearing on the Motion was held on February 21, 2019 (the "Hearing"), at which John J. Wiest of Dorsey & Whitney LLP appeared on behalf of the Receiver, who was also present. No other parties appeared at the Hearing.


The Court has reviewed the Motion and the *Declaration of Receiver R. Wayne Klein*, ("Receiver Declaration") [Docket No. 1440] together with all of the Exhibits attached thereto, all other papers filed related thereto, 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 **DENIED** without prejudice.

DATED this 22 day of Feb., 2019.

BY THE COURT:


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