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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 (A) PROPOSED
AUCTION AGREEMENT AND SALE
PROCEDURES, (B) PUBLIC SALE OF
PROPERTY FREE AND CLEAR OF
INTERESTS, AND (C) METHOD AND
FORM OF PUBLICATION NOTICE**

(ELKHORN RIDGE ESTATES)

Civil No. 2:12-00591

The Honorable Bruce S. Jenkins

The matter before the Court is the *Receiver's Second Motion Seeking Approval of (A) Proposed Auction Agreement and Sale Procedures, (B) Public Sale of Property Free and Clear of Interests, and (C) Method and Form of Publication Notice and Memorandum in Support (Elkhorn Ridge Estates)* (the "Motion") filed by R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") in the above captioned case, related to the sale of 37 parcels of real property and related common property in the Elkhorn Ridge Estates subdivision near Malad, Oneida County, Idaho, with tax parcel ID numbers RP0281906, -15-27, -29-30, and -32-53 (the "Property"). In

support of the Motion, the Receiver filed the *Declaration of Receiver R. Wayne Klein* (“Receiver Declaration”) and the *Declaration of Aaron Shelton* (“Shelton Declaration”) concurrently therewith.

Through the Motion, the Receiver is seeking approval of (a) the Auction Agreement attached to the Receiver Declaration as Exhibit 1 and the Auction Procedures set forth in Sections 4.2 through 4.4 therein, (b) the public sale of the Property free and clear of interests, and (c) the form and method of publication notice as proposed in the Motion. The Receiver also requests any other relief appropriate under the circumstances

The Court has reviewed the Motion, Receiver Declaration, Shelton Declaration, 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:

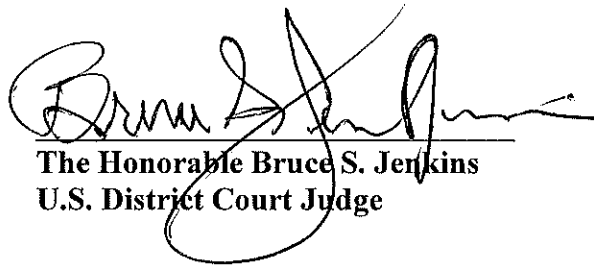
1. The Motion is **GRANTED**;
2. The Auction Agreement attached to the Receiver Declaration as Exhibit 2 and the Auction procedures set forth in Sections 4.2 through 4.4 therein are **APPROVED**;
3. The sale of the Property free and clear of interests to the highest and best offeror at the Auction as set forth in the Motion is **APPROVED**; and
4. The method and form of the publication notice as set forth in the Motion are **APPROVED**. The following notice shall be published newspapers in Salt Lake City, Utah, and Malad, Oneida County, Idaho, once a week for a period of four weeks prior to the Auction:

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 37 parcels of real property located at the Elkhorn Ridge Estates subdivision in Malad Summit, Oneida County, Idaho,

with tax parcel numbers RP0281906, -15-27, -29-30, and -32-53, and related open space (the "Property"), through a public auction conducted by Statewide Auction Company ("Statewide") to the highest bidder payable in lawful money of the United States on the ___ day of _____, 20___, at the hour of _____ at Statewide's location, 155 N. 1000 W., Salt Lake City, UT 84116, or as may be continued from time to time by the Receiver and Statewide (the "Auction"). The Property will be sold at the Auction free and clear of all interests, "as is" with no representations and warranties. Only "Qualified Bidders" may participate in the Auction. To be a Qualified Bidder, you must comply with Statewide's auction procedures, which may be obtained upon request made to the Receiver's counsel at: Dorsey & Whitney LLP, attn: John J. Wiest, 111 South Main Street, 21st Floor, Salt Lake City, Utah 84111; wiest.john@dorsey.com.

DATED this th 7 day of November 2019.

BY THE COURT:


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