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

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAPOWER-3, LLC; INTERNATIONAL
AUTOMATED SYSTEMS, INC.; LTBI,
LLC; R. GREGORY SHEPARD; NELDON
JOHNSON; and ROGER FREEBORN,

Defendants.

**ORDER GRANTING RECEIVER'S
SIXTH MOTION FOR APPROVAL TO
CONSUMMATE SETTLEMENTS**

Civil No. 2:15-cv-00828-DN

District Judge David Nuffer

R. Wayne Klein, the Court-Appointed Receiver (the "Receiver"), in the above-captioned case, filed the Sixth Motion for Approval to Consummate Settlements (the "Motion").¹ In the Motion, the Receiver seeks the approval of eleven (11) settlement agreements and releases ("Settlement Agreements") that will bring \$507,878.80 in cash and an additional \$50,000.00 judgment lien into the Receivership Estate. The United States has informed the Receiver that it consents to the relief requested.² Based on the Motion, and for good cause appearing,

IT IS HEREBY ORDERED that:

1. The Motion is GRANTED;
2. The Settlement Agreements are in the best interests of the Receivership;
3. The Receiver is authorized to enter into the Settlement Agreements for the benefit of the Receivership Estate;

¹[Docket no. 943](#), filed June 30, 2020.

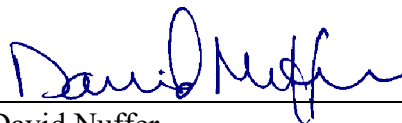
² *Id.* at 3 (¶ 6).

4. The clerk of the Court shall pay to the Receiver \$97,430.00 deposited into the Court registry by Snell & Wilmer pursuant to [Docket No. 19](#) (Amended and Restated Order Denying Application for Compensation and Reimbursement of Expenses (filed November 6, 2018)) in Case No. 2:18-cv-00608-DN; and

5. The Court finds that notice of the Motion was adequate, claims the Receiver asserted against Snell & Wilmer are assets of the Receivership Estate, and the Receiver has the exclusive authority and standing to assert and release the claims against Snell & Wilmer and to enter into the settlement agreement with Snell & Wilmer that is approved in this order.

Signed July 21, 2020

BY THE COURT:

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer
United States District Judge