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

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MARTIN J. WALSH, SECRETARY OF  
LABOR, UNITED STATES  
DEPARTMENT OF LABOR,

Plaintiff,

v.

PARAGON CONTRACTORS CORP.;  
JAMES JESSOP an individual; BRIAN  
JESSOP, an individual; and PAR 2  
CONTRACTORS, LLC,

Defendants.

**ORDER APPROVING (1) PUBLIC SALE  
OF PROPERTY FREE AND CLEAR OF  
INTERESTS, (2) METHOD AND FORM  
OF PUBLICATION NOTICE, (3) PUBLIC  
AUCTION PROCEDURES AND (4)  
DEADLINES FOR OBJECTIONS TO  
THE PROPERTY SALE AND CLAIMS  
OF INTEREST IN THE SALE  
PROCEEDS**

**(Warehouse and 2.02 acres, Hildale, UT)**

Civil No. 2:06-cv-00700-TC

District Judge Tena Campbell

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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, (3) Public Auction Procedures, and (4) Deadlines for Objections to the Property Sale and Claims of Interest in the Sale Proceeds* (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 located at 745 N. Box Elder Street, Hildale, Washington County, Utah (the "Property"), identified by parcel number HD-HDIP-10 and also described as follows: Lot 10, amended plat of Hildale Industrial Park, according to the official plat thereof on file and of record in the Washington County Recorder's Office. The Property has a legal description of:

BEG N 1.15 FT FM SE COR SEC 32 T43S R10W BEING ON UT AZ STATE LN; TH S 89°54'09"W ALG STATE LN 2642.91 FT TO PT N 1.37 FT FM S1/4 COR SEC 32; TH N 0°03'34' E ALG 1/4 SEC/L 1246.41 FT TO CTR SEC 32; TH N 89°53'44" E ALG 1/4 SEC/L 1349.53 FT; TH S 0°06'16" E 328.82 FT; TH N 89°52'11" E 409.37 FT TO WLY R/W LN HWY U-59 BEING ON ARC OF 5679.58 FT RAD CUR WITH RAD LN BEARS S 43°13'01" W; TH NWLY LFT ALG ARC SD CUR 459.54 FT THRU CTRL ANG O4°38'09" TO 1/4 SEC/L; TH N ETC

Through the Motion, the Receiver is seeking (1) authorization to sell the Property at public sale to the highest and best offeror, free and clear of all interests, (2) approval of the form and method of publication notice, (3) approval of the proposed auction procedures, and (4) approval of deadlines for any objections to the sale of the Property and for making claims of interest in the Property sale proceeds.

The Court has reviewed the Motion and 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 (ECF No. 308) 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, subject to the requirement that the Receiver not close on a sale after the auction if an objection to the sale has been filed with the Court and has not been ruled on.
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 Spectrum, a newspaper of general circulation throughout Washington County, Utah, once a week for a period of four weeks prior to the public sale:

R. Wayne Klein, the court-appointed receiver ("Receiver") for Paragon Contractors Corp., Par 2 Contractors, LLC, and the assets of Brian Jessop, in the civil case ("Case") styled *United States Department of Labor v.*

*Paragon Contractors, et al.*, No. 2:06-cv-00700-TC (D. Utah) gives notice of his intent to sell certain real property (“Property”) constituting a warehouse and 2.02 acres located at 745 N. Box Elder Street, in Hildale City, Washington County, UT, with parcel number HD-HDIP-10. The Property will be sold at a public auction (“Auction”) to the highest bidder, payable in lawful money of the United States on \_\_\_\_\_, 2022, at \_\_\_:\_\_\_ .m. at the Property (745 N. Box Elder Street, Hildale, UT), or as may be continued from time to time by the Receiver. The Property will be sold at the Auction free and clear of all interests, “as is,” with no representations or warranties. The Receiver has accepted an initial bid of \$475,000.00 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, at least five business days before the Auction, comply with the “Auction Procedures” that have been approved in the Case, which Auction Procedures may be obtained upon request made to the Receiver, Wayne Klein, PO Box 1836, Salt Lake City, Utah 84110, wklein@kleinutah.com.

4. The Auction Procedures described in the Motion and attached to the Motion as Exhibit C are APPROVED.
5. Jeremiah Jessop, Jr., and any others claiming an interest in the Property, shall have ten (10) days after entry of the Court’s order approving the sale of the Property to file a motion to intervene in this Receivership case in order to object to the sale of the Property. Failure by Jeremiah Jessop, Jr., or others, to file a timely motion to intervene in this action and object to the sale shall constitute a waiver of any objections to the public sale.
6. Jeremiah Jessop, Jr., and any others claiming an interest in the net proceeds from the sale of the Property, shall have sixty (60) days after entry of the Court’s order approving the sale of the Property to file a notice with the Court asserting a claim for a share of the net proceeds. Any such notice must be accompanied by documents and evidence demonstrating the claimant’s right to a share of the net sale proceeds. Failure to file, within sixty (60) days after this Order, a notice claiming a share of the

net sale proceeds, accompanied by documentation substantiating the claim, shall constitute a waiver of any claim for a share of the net sale proceeds.

7. Because Jeremiah Jessop, Jr.: a) notified the Washington County Treasurer only of physical and post office box addresses for him that were addresses of Paragon and Paragon 2, b) appears to reside in Utah or Arizona, c) has communicated with the Receiver via cellular telephone text messages, and d) has not responded to the Receiver's request that he provide a physical address and an email address for him, service of the Receiver's Motion via text message and by mailing copies of the Motion to the addresses listed in the Motion's certificate of service will be deemed valid service on Jeremiah Jessop, Jr. The Receiver is further ordered to serve copies of this Order and any additional orders issued by the Court relating to the Motion promptly via text message to Jeremiah Jessop, Jr. and to any physical, post office box, and email addresses for Jeremiah Jessop, Jr. that the Receiver is able to identify as likely belonging to Jeremiah Jessop, Jr.

SO ORDERED this 28th day of December, 2021.



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Tena Campbell  
United States District Court Judge