JOHN W. HUBER, United States Attorney (#7226)

JOHN K. MANGUM, Assistant United States Attorney (#2072)

185 South State Street, Suite 300

Salt Lake City, Utah 84111 Telephone: (801) 524-5682

Email: john.mangum@usdoj.gov

ERIN HEALY GALLAGHER, pro hac vice

DC Bar No. 985670, erin.healygallagher@usdoj.gov

CHRISTOPHER R. MORAN, pro hac vice

NY Bar No. 5033832, christopher.r.moran@usdoj.gov

Trial Attorneys, Tax Division

U.S. Department of Justice

P.O. Box 7238

Ben Franklin Station

Washington, D.C. 20044

Telephone: (202) 353-2452

# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

#### UNITED STATES OF AMERICA,

Plaintiff,

VS.

RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, R. GREGORY SHEPARD, NELDON JOHNSON, and ROGER FREEBORN,

Defendants.

Civil No. 2:15-cv-00828 DN

## STIPULATION REGARDING CONTINUED DISCOVERY DURING 45 DAY STAY

Judge David Nuffer Magistrate Judge Brooke C. Wells

On September 20, 2016, the Court stayed this case for 45 days in conjunction with its Order granting the United States' Motion for Relief from the Standard Protective Order. (ECF Doc. 92.) Pursuant to the Court's Order, the parties are presently negotiating terms for a protective order to govern discovery in this case.

The stay will terminate, by operation of the Court's Order, on November 4, 2016. In the interest of conserving resources for the parties, the parties have agreed that the deposition of Roger Halverson, scheduled for October 18, 2016 in West Palm Beach, Florida, will be conducted as scheduled. This deposition will not adversely impact the parties' abilities to meet the Court's deadline regarding a negotiated protective order.

Dated: October 7, 2016 Respectfully submitted,

#### /s/ Erin Healy Gallagher

ERIN HEALY GALLAGHER

DC Bar No. 985760

Email: erin.healygallagher@usdoj.gov

Telephone: (202) 353-2452

CHRISTOPHER R. MORAN

New York Bar No. 5033832

Email: christopher.r.moran@usdoj.gov

Telephone: (202) 307-0834 Trial Attorneys, Tax Division

U.S. Department of Justice

P.O. Box 7238

Ben Franklin Station

Washington, D.C. 20044

FAX: (202) 514-6770

ATTORNEYS FOR THE

UNITED STATES

#### /s/ Justin D. Heideman

(Signed by Filing Attorney with permission of Justin D. Heideman)

Justin D. Heideman

Justin D. Heideman

HEIDEMAN & ASSOCIATES

2696 North University Avenue, Suite 180

Provo, Utah 84604

jheideman@heidlaw.com

ATTORNEY FOR RAPOWER-3, LLC, INTERNATIONAL AUTOMATED SYSTEMS, INC., LTB1, LLC, and NELDON JOHNSON

/s/ Donald S. Reay (Signed by Filing Attorney with permission of Donald S. Reay) Donald S. Reay REAY LAW, PLLC donald@reaylaw.com ATTORNEY FOR R. GREGORY SHEPARD AND ROGER FREEBORN

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 7, 2016, the foregoing document was electronically filed with the Clerk of the Court through the CM/ECF system, which sent notice of the electronic filing to the following:

Justin D. Heideman
HEIDEMAN & ASSOCIATES
2696 North University Avenue, Suite 180
Provo, Utah 84604
jheideman@heidlaw.com
ATTORNEY FOR RAPOWER-3, LLC,
INTERNATIONAL AUTOMATED SYSTEMS, INC.,
LTB1, LLC, and NELDON JOHNSON

Donald S. Reay REAY LAW, PLLC donald@reaylaw.com ATTORNEY FOR R. GREGORY SHEPARD AND ROGER FREEBORN

> /s/ Erin Healy Gallagher ERIN HEALY GALLAGHER Trial Attorney