

Byron Martin

From: Justin Heideman <jheideman@heidlaw.com>
Sent: Monday, January 30, 2017 9:16 AM
To: Stuart Schultz
Cc: Byron Martin
Subject: RE: United States v. RaPwer-3 et al

Stuart:

Thank you for your e-mail. My client is not interested in waiving any of the Attorney/Client privilege and anticipates that your client will maintain that in the strictest fashion.

I have concluded the jury trial that had me out of the office last week and would be happy to discuss this matter further if you desire.

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From: Stuart Schultz [mailto:sschultz@strongandhanni.com]
Sent: Friday, January 27, 2017 11:27 AM
To: Justin Heideman
Cc: Byron Martin
Subject: United States v. RaPwer-3 et al

Dear Justin:

Strong & Hanni, Byron Martin and I have been retained to represent Todd Anderson and the Anderson Law Center (collectively "ALC") with respect to a subpoena served on Mr. Anderson by the United States to take his deposition in

the above-referenced matter on February 17, 2017. See attached. We understand that you represent the defendants in the matter. ALC was formerly counsel for RaPower-3, LLC and Neldon Johnson several years ago.

Previously, the United States subpoenaed documents from ALC in the same case. ALC produced some documents in response to the earlier subpoena. However, ALC refused to produce several documents on the ground that they are or may be protected by the attorney-client privilege. It is our understanding that the United States intends to ask Mr. Anderson questions that will likely relate to communications he or other members of ALC had with your clients and documents exchanged between ALC and your clients.

In order to protect against disclosure of information which your clients assert is attorney-client privileged, that is confidential or otherwise protected under Rules 1.6 and 1.9 of the Utah Rules of Professional Conduct, and/or with respect to which ALC is prohibited from being examined without client consent under U.C.A. 78B-1-137(2), we are prepared to seek court assistance. However, since it is your clients' privilege to assert, we ask that you inform us what your position is with respect to the attorney-client privilege and confidentiality and possible consent.

For your assistance a copy of the Response to Subpoena to Produce Documents and Claim of Privilege, including the privilege log provided by ALC to the subpoena for documents is attached. You were also a recipient of a December 1, 2016 letter from Christopher R. Moran, Trial Attorney, United States Department of Justice, regarding privilege issues.

We ask that you notify us at your earliest convenience of your clients' position.

Regards,

Stuart

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