

<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF UTAH, CENTRAL DIVISION</p> <hr/> <p>3 UNITED STATES OF ) 4 AMERICA, ) Deposition of: 5 Plaintiff, ) PRESTON F. OLSEN 6 vs. ) Time on record: 5 Hours, 12 Minutes 7 RaPower3, LLC, ) INTERNATIONAL ) Case No. 2:15-cv-00828 DN 8 AUTOMATED SYSTEMS, ) INC., LTB1, LLC, R. ) Judge David Nuffer 9 GREGORY SHEPARD, ELDON ) JOHNSON and ROGER ) 10 FREEBORN, ) 11 Defendants. )</p> <hr/> <p>12 13 14 15 August 10, 2016 * 9:06 a.m. to 4:06 p.m. 16 17 18 19 Location: United States Attorney's Office 20 185 South State Street -- Suite 300 21 Salt Lake City, Utah 22 23 24 25 Reporter: Denise M. Thomas, CRR/RPR</p>	<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S (Continued) 2 3 FOR THE WITNESS: 4 Paul W. Jones 5 STOEL RIVES, LLP 6 Attorneys at Law 7 4766 Holladay Boulevard 8 Salt Lake City, Utah 84117 9 Telephone: 801.930.5101 10 Fax: 801.208.8995 11 E-mail: pwjones@stoel.com 12 13 * * * 14 15 16 17 18 19 20 21 22 23 24 25</p> <div data-bbox="1198 821 1487 999" style="border: 2px solid black; background-color: yellow; padding: 10px; text-align: center;"> <p><b>Plaintiff Exhibit</b></p> <p>694</p> </div>
<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S 2 3 FOR THE PLAINTIFF: 4 Christopher R. Moran 5 Erin Healy-Gallagher 6 Erin R. Hines (Telephonically) 7 UNITED STATES DEPARTMENT OF JUSTICE 8 Trial Attorneys, Tax Division 9 P. O. Box 7328 10 Washington, D. C. 20044 11 Telephone: 202.307.0834 (Moran) 202.353.2452 (Healy-Gallagher) 12 Fax: 202.514.6770 13 E-mail: christopher.r.moran@usdoj.gov erin.healygallagher@usdoj.gov 14 FOR THE DEFENDANTS RAPOWER3, LLC, INTERNATIONAL 15 AUTOMATED SYSTEMS, INC., LTB1, LLC, AND NELDON 16 JOHNSON: 17 Christian D. Austin 18 HEIDEMAN &amp; ASSOCIATES 19 Attorneys at Law 20 2696 No. University Avenue -- Suite 180 21 Provo, Utah 84604 22 Telephone: 801.472.7742 23 Fax: 801.374.1724 24 E-mail: caustin@heidlaw.com 25 FOR THE DEFENDANTS R. GREGORY SHEPHERD AND ROGER FREEBORN: Donald S. Reay MILLER, REAY &amp; ASSOCIATES Attorneys at Law 43 West 9000 South -- Suite B Sandy, Utah 84070 Telephone: 801.999.8529 Fax: 801.206.0211 E-mail: donald@reaylaw.com</p>	<p style="text-align: right;">Page 4</p> <p>1 I N D E X 2 3 PRESTON F. OLSEN PAGE 4 Examination By Mr. Moran 9 5 Examination By Mr. Austin 199 6 Examination By Mr. Reay 216 7 Further Examination By Mr. Moran 217 8 Further Examination By Mr. Austin 222 9 10 E X H I B I T S 11 NUMBER DESCRIPTION PAGE 12 Exhibit 119 12-20-12 RaPower3 Equipment 29 Purchase Agreement between 13 RaPower3, LLC, and Preston Olsen 14 15 Exhibit 120 4-18-16 e-mail to Glenda 31 Johnson from Preston Olsen 16 Exhibit 121 RaPower3 Operation and 75 Maintenance Agreement 17 18 Exhibit 122 2009 Solar Purchase Referral 98 Fee Contract between Neldon Johnson and PFO Solar, LLC 19 20 Exhibit 123 12-30-09 Letter to PFO Solar, 116 LLC, from Neldon P. Johnson 21 Exhibit 124 2-12-15 Letter to "Presten" 118 Olsen from Greg Shepard 22 23 Exhibit 125 2-1-14 Letter to "Presten" 118 Olsen from Greg Shepard 24 Exhibit 126 2-16-13 Letter to Preston Olsen 118 from Greg Shepard 25</p>

Page 5			Page 7		
1	E X H I B I T S (Continued)		1	E X H I B I T S (Continued)	
2	NUMBER	DESCRIPTION	2	NUMBER	DESCRIPTION
3	Exhibit 127	2008 Amended U.S. Individual	3	Exhibit 155	11-19-13 e-mail chain between
4		Income Tax Return for Preston	4		Preston Olsen, Greg Shepard and
5	Exhibit 128	2009 Tax Return for Preston and	5	Exhibit 156	1-7-14 e-mail chain between
6		Elizabeth Olsen	6		Preston Olsen and Greg Shepard
7	Exhibit 129	2010 Tax Return for Preston and	7	Exhibit 157	September 4 & 5, 2014 e-mail
8	Exhibit 130	2011 Tax Return for Preston and	8		chain between Preston Olsen and
9		Elizabeth Olsen	9	Exhibit 158	Tax return documents received
10	Exhibit 131	2013 Tax Return for Preston and	10	Exhibit 159	from Greg Shepard
11	Exhibit 132	2014 Tax Return for Preston and	11		12-30-15 e-mail to Greg Shepard
12		Elizabeth Olsen	12	Exhibit 160	from Preston Olsen
13	Exhibit 133	July 2009 e-mail chain between	13		10-8-13 Letter to IRS from
14		Matthew Shepard and Preston	14	Exhibit 161	Bryan Bolander with attached
15	Exhibit 134	7-13-09 e-mail to Preston Olsen	15		Power of Attorney and
16	Exhibit 135	E-mails produced by Preston	16		Declaration of Representative
17		Olsen	17	Exhibit 162	9-23-13 e-mail to Preston Olsen
18	Exhibit 136	E-mails produced by Preston	18		from Greg Shepard
19	Exhibit 137	E-mails produced by Preston	19	Exhibit 163	August 2013 e-mail chain
20		Olsen	20		between Preston Olsen and Greg
21	Exhibit 138	E-mails produced by Preston	21		Shepard
22	Exhibit 139	E-mails produced by Preston	22		2-4-16 Letter to IRS from
23		Olsen	23		Richard Jameson, North Star Tax
24	Exhibit 140	E-mails produced by Preston	24		Services, LLC
25		Olsen	25		
Page 6			Page 8		
1	E X H I B I T S (Continued)		1	P R O C E E D I N G S	
2	NUMBER	DESCRIPTION	2		
3	Exhibit 141	E-mails produced by Preston	3	P R E S T O N F. O L S E N ,	
4		Olsen	4	having been first duly sworn to tell the	
5	Exhibit 142	E-mails produced by Preston	5	truth, was examined and testified as follows:	
6		Olsen	6		
7	Exhibit 143	E-mails produced by Preston	7	MR. MORAN: Good morning, Mr. Olsen. My	
8		Olsen	8	name is Chris Moran. I represent the United States	
9	Exhibit 144	E-mails produced by Preston	9	in the case of United States v. RaPower3, et al. I'm	
10		Olsen	10	here representing the United States.	
11	Exhibit 145	E-mails produced by Preston	11	Could all the attorneys in the room please	
12	Exhibit 146	E-mails produced by Preston	12	place their appearances on the record, starting with	
13		Olsen	13	Mr. Reay?	
14	Exhibit 147	E-mails produced by Preston	14	MR. REAY: Donald Reay for Greg Shepard	
15	Exhibit 148	E-mails produced by Preston	15	and Roger Freeborn.	
16		Olsen	16	MR. AUSTIN: Christian Austin for	
17	Exhibit 149	July 2009 e-mail chain between	17	RaPower3.	
18		Preston Olsen and Matthew	18	MR. JONES: Paul Jones for Preston Olsen.	
19	Exhibit 150	July and August 2009 e-mail	19	MR. MORAN: And I'm also joined by	
20		chain between Preston Olsen and	20	Ms. Erin Healy-Gallagher representing the	
21	Exhibit 151	November 2010 e-mail chain	21	United States.	
22		between Preston Olsen and Greg	22	MS. HEALY-GALLAGHER: And we may have	
23	Exhibit 152	March 2011 e-mail chain between	23	Erin Hines calling in for the United States in a	
24		Preston Olsen and Greg Shepard	24	moment.	
25	Exhibit 153	E-mail chain between Preston	25		
		Olsen and Bryan Bolander			
	Exhibit 154	E-mail chain between Preston			
		Olsen, Greg Shepard, Matthew			
		Shepard and others			

<p style="text-align: right;">Page 9</p> <p>1 EXAMINATION</p> <p>2 BY MR. MORAN:</p> <p>3 Q. Mr. Olsen, could you please state and</p> <p>4 spell your name for the record?</p> <p>5 A. Sure. My first name is Preston,</p> <p>6 P-r-e-s-t-o-n, middle name is Frederick,</p> <p>7 F-r-e-d-r-i-c-k, my last name is Olsen, O-l-s-e-n.</p> <p>8 MR. MORAN: Thank you. For the record,</p> <p>9 this --</p> <p>10 MS. HEALY-GALLAGHER: Erin?</p> <p>11 MS. HINES: Yes. Good morning.</p> <p>12 MS. HEALY-GALLAGHER: Ms. Hines has joined</p> <p>13 us.</p> <p>14 MR. MORAN: Erin, can you put yourself on</p> <p>15 moot?</p> <p>16 MS. HINES: Yes.</p> <p>17 MR. MORAN: Okay. For the record, this</p> <p>18 deposition will be taken in accordance with the</p> <p>19 Federal Rules of Civil Procedure.</p> <p>20 Q. (By Mr. Moran) Mr. Olsen, have you ever</p> <p>21 had your deposition taken before?</p> <p>22 A. I have not.</p> <p>23 Q. Okay. Have you ever been involved in</p> <p>24 depositions?</p> <p>25 A. I have not.</p>	<p style="text-align: right;">Page 11</p> <p>1 attorney, Mr. Jones, at any point during the</p> <p>2 deposition, that's fine. The only request I'd make</p> <p>3 is that you not confer with Mr. Jones while a</p> <p>4 question's pending, so if at any point you'd like to</p> <p>5 take a break, answer whatever question's pending, and</p> <p>6 then we'll let you take a short break.</p> <p>7 Speaking of breaks, we'll plan to take a</p> <p>8 break about every 90 minutes for the bathroom, get a</p> <p>9 drink of water, whatever you'd like.</p> <p>10 Will that be enough for you?</p> <p>11 A. That's fine. Thank you.</p> <p>12 Q. Okay. What we're trying to do here is get</p> <p>13 an accurate record of your knowledge of the facts of</p> <p>14 this case. For that reason, I need to ask you is</p> <p>15 there anything that would preclude you from answering</p> <p>16 questions truthfully?</p> <p>17 A. No.</p> <p>18 Q. Okay. Are you on any medications that</p> <p>19 would prevent you from recalling events of the past</p> <p>20 and answering questions about them?</p> <p>21 A. I am not.</p> <p>22 Q. Have you had any alcohol to drink in the</p> <p>23 last eight hours?</p> <p>24 A. I have not.</p> <p>25 Q. Okay. How are you feeling today?</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. I'm just going to go through some of the</p> <p>2 ground rules for you so we're clear going forward.</p> <p>3 It's important that you give verbal</p> <p>4 responses today. That means no uh-huhs or head</p> <p>5 nodding as we have a tendency to go into in regular</p> <p>6 conversation.</p> <p>7 Do you understand?</p> <p>8 A. I understand.</p> <p>9 Q. Okay. During the course of the</p> <p>10 deposition, attorneys may make objections to my</p> <p>11 questions. They're just making a record. I'd ask</p> <p>12 that unless your attorney, Mr. Jones, instructs you</p> <p>13 not to answer a question, that you answer the</p> <p>14 question to the best of your ability.</p> <p>15 Do you understand that?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. As we go through the deposition, if</p> <p>18 you realize that an answer you gave earlier in the</p> <p>19 deposition needs to be explained further or you'd</p> <p>20 like to correct it because it's incorrect, just let</p> <p>21 me know, and I'll be happy to let you clarify a</p> <p>22 previous answer.</p> <p>23 Do you understand that?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. If you need to talk to your</p>	<p style="text-align: right;">Page 12</p> <p>1 A. Okay.</p> <p>2 Q. We're going to get started with some basic</p> <p>3 background questions, just trying to understand how</p> <p>4 you come into this case.</p> <p>5 A. Okay.</p> <p>6 Q. So what year were you born?</p> <p>7 A. 1975.</p> <p>8 Q. Where were you born and raised?</p> <p>9 A. I was born in Provo, Utah, and I was</p> <p>10 raised primarily in Murray, the City of Murray, Utah.</p> <p>11 Q. How far is that from Salt Lake?</p> <p>12 A. Maybe 10 miles south of Salt Lake.</p> <p>13 Q. And Provo isn't that far either, right?</p> <p>14 A. Provo is about 60 miles -- 50-60 miles</p> <p>15 south, maybe a little less.</p> <p>16 Q. Did you graduate from high school?</p> <p>17 A. I did.</p> <p>18 Q. When did you graduate from high school?</p> <p>19 A. 1993.</p> <p>20 Q. Where did you graduate from high school?</p> <p>21 A. Murray High School.</p> <p>22 Q. What did you do after high school?</p> <p>23 A. I served a mission for the Church of Jesus</p> <p>24 Christ of Latter Day Saints in Brazil for two years,</p> <p>25 and then I attended Brigham Young University.</p>

<p style="text-align: right;">Page 25</p> <p>1 Q. Do you think it was before or after 2010?</p> <p>2 A. I think it was before.</p> <p>3 Q. Do you think it was before -- do you think</p> <p>4 it was after 2005?</p> <p>5 A. I think it was after 2005, but I don't</p> <p>6 remember exactly.</p> <p>7 Q. Fair enough. Mr. Olsen --</p> <p>8 A. Yes.</p> <p>9 Q. -- was it before or after you moved back</p> <p>10 to Utah from New York City?</p> <p>11 A. It was after.</p> <p>12 Q. Do you recall about how long you'd been</p> <p>13 here?</p> <p>14 A. I don't.</p> <p>15 Q. Okay. It sounds like you were away from</p> <p>16 home for awhile since you were going to law school in</p> <p>17 Chicago, and then you went to New York --</p> <p>18 A. That's right.</p> <p>19 Q. -- then you came home, right?</p> <p>20 A. That's right.</p> <p>21 Q. Did you reacquaint yourself with your high</p> <p>22 school friends?</p> <p>23 A. Did I what?</p> <p>24 Q. Did you get back into touch with your high</p> <p>25 school friends?</p>	<p style="text-align: right;">Page 27</p> <p>1 A. Nothing.</p> <p>2 MS. HEALY-GALLAGHER: Shepard.</p> <p>3 Q. (By Mr. Moran) Mr. Shepard tell you about</p> <p>4 the lenses?</p> <p>5 A. He -- I don't remember exactly what he</p> <p>6 told me other than that they concentrate the</p> <p>7 sunlight.</p> <p>8 Q. And what was the purpose of concentrating</p> <p>9 sunlight?</p> <p>10 MR. AUSTIN: Objection. Laborious.</p> <p>11 MR. JONES: Objection, vague; objection,</p> <p>12 calls for expert testimony.</p> <p>13 THE WITNESS: Just to create heat. I'm</p> <p>14 sorry. Repeat the question.</p> <p>15 Q. (By Mr. Moran) My question was what did</p> <p>16 Mr. Shepard tell you was the purpose of the solar</p> <p>17 lenses?</p> <p>18 A. Concentrate sunlight.</p> <p>19 Q. Concentrate sunlight to do what?</p> <p>20 A. To create heat.</p> <p>21 Q. And what would the heat be used to do?</p> <p>22 A. To heat either water or liquid to turn the</p> <p>23 turbine and create energy.</p> <p>24 Q. What do you mean --</p> <p>25 A. Or electricity.</p>
<p style="text-align: right;">Page 26</p> <p>1 MR. AUSTIN: Objection. Vague.</p> <p>2 THE WITNESS: A few.</p> <p>3 Q. (By Mr. Moran) And you mentioned a</p> <p>4 Matt Anderson --</p> <p>5 A. Matt Shepard.</p> <p>6 Q. Matt Shepard. I'm sorry. There's another</p> <p>7 Matt Anderson in this case.</p> <p>8 You mentioned that Matt Shepard mentioned</p> <p>9 to you -- or you learned from Matt Shepard about this</p> <p>10 solar lens opportunity?</p> <p>11 A. Yes.</p> <p>12 Q. What was that opportunity?</p> <p>13 A. The opportunity of I think mostly</p> <p>14 described in the contracts, which is to purchase</p> <p>15 lenses and to lease them.</p> <p>16 Q. What type of lenses?</p> <p>17 A. They're solar lenses.</p> <p>18 Q. And how do they work?</p> <p>19 MR. AUSTIN: Objection. Foundation.</p> <p>20 MR. JONES: Objection. Calls for expert</p> <p>21 testimony.</p> <p>22 THE WITNESS: I'm not sure exactly how</p> <p>23 they work. They work by concentrating sunlight.</p> <p>24 Q. (By Mr. Moran) What did Mr. Anderson tell</p> <p>25 you about the solar lenses?</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Electricity? What entities did</p> <p>2 Mr. Shepard tell you about were involved in solar</p> <p>3 lenses, or was it just Mr. Shepard?</p> <p>4 A. I'm not sure that I understand the</p> <p>5 question.</p> <p>6 Q. That's fine. Was Mr. Shepard offering you</p> <p>7 the opportunity to purchase the lenses from him, or</p> <p>8 was there someone else involved?</p> <p>9 A. I don't remember the exact entities, but</p> <p>10 they're in the contracts that we -- I provided.</p> <p>11 Q. Do you recall?</p> <p>12 A. I don't recall.</p> <p>13 Q. Does the company International Automated</p> <p>14 Systems mean anything to you?</p> <p>15 A. Yes.</p> <p>16 Q. What is International Automated Systems?</p> <p>17 A. It is a public company, and I believe it</p> <p>18 owns the intellectual property for these lenses.</p> <p>19 Q. Does the company RaPower3 mean anything to</p> <p>20 you?</p> <p>21 A. Yes.</p> <p>22 Q. What is RaPower3?</p> <p>23 A. I'm not a hundred percent sure what</p> <p>24 RaPower3 is.</p> <p>25 Q. Have you ever purchased lenses from</p>

<p style="text-align: right;">Page 29</p> <p>1 RaPower3?</p> <p>2 A. I believe so, if that's what the name on</p> <p>3 the contract.</p> <p>4 MR. MORAN: We'll mark an exhibit.</p> <p>5 (EXHIBIT 119 WASMARKED.)</p> <p>6 Q. (By Mr. Moran) Mr. Olsen, you mentioned a</p> <p>7 contract in your prior testimony?</p> <p>8 A. Yes.</p> <p>9 Q. Could you please look at Exhibit 119, tell</p> <p>10 me if you recognize it?</p> <p>11 A. I do.</p> <p>12 Q. What is Exhibit 119?</p> <p>13 A. It is a RaPower3 Equipment Purchase</p> <p>14 Agreement.</p> <p>15 MR. MORAN: And for the record,</p> <p>16 Exhibit 119 is Bates labeled Olsen_P&amp;E-00642.</p> <p>17 Q. (By Mr. Moran) Mr. Olsen, do you recall</p> <p>18 receiving a Subpoena from the government requesting</p> <p>19 that you produce documents?</p> <p>20 A. I do.</p> <p>21 Q. Okay. Did you respond to that Subpoena?</p> <p>22 A. I did.</p> <p>23 Q. Do you recall producing several documents,</p> <p>24 including --</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 31</p> <p>1 THE WITNESS: Okay. I've read the first</p> <p>2 page.</p> <p>3 Q. (By Mr. Moran) Do you recall now how</p> <p>4 you're involved with RaPower3?</p> <p>5 A. Yes. It says here that RaPower3 is the</p> <p>6 seller of the lenses.</p> <p>7 Q. And those are the lenses that you</p> <p>8 purchased?</p> <p>9 A. Yes.</p> <p>10 Q. Do you recall if you purchased lenses from</p> <p>11 anyone else?</p> <p>12 A. I do not.</p> <p>13 Q. Do you recall if you've ever purchased</p> <p>14 lenses from an entity known as International</p> <p>15 Automated Systems?</p> <p>16 A. I do not. That may be one of the earlier</p> <p>17 contracts.</p> <p>18 (EXHIBIT 120 WASMARKED.)</p> <p>19 Q. (By Mr. Moran) Mr. Olsen, you've been</p> <p>20 handed a copy of what's been marked for</p> <p>21 identification as Plaintiff's Exhibit 120, labeled at</p> <p>22 the bottom Olsen_P&amp;E-01737.</p> <p>23 A. Yes.</p> <p>24 Q. Do you recognize Plaintiff's Exhibit 120?</p> <p>25 A. I do.</p>
<p style="text-align: right;">Page 30</p> <p>1 Q. -- what's been marked for identification</p> <p>2 as Plaintiff's Exhibit 119?</p> <p>3 A. I do.</p> <p>4 Q. Okay. And in your prior testimony you</p> <p>5 mentioned a contract.</p> <p>6 A. Yes.</p> <p>7 Q. Exhibit 119 is the contract that you were</p> <p>8 referring to?</p> <p>9 A. It's one of the contracts.</p> <p>10 Q. You've entered into several contracts like</p> <p>11 these?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. After looking at Exhibit 119, does</p> <p>14 that refresh your recollection as to who RaPower3 is?</p> <p>15 A. I would have to read it again, but, yeah,</p> <p>16 it's between RaPower3 and myself.</p> <p>17 Q. Take a minute and look at the contract.</p> <p>18 A. Okay.</p> <p>19 Q. Let me know when you're done.</p> <p>20 A. Just read?</p> <p>21 Q. Take a look at it, and tell me after</p> <p>22 reviewing it if you can tell me if it refreshes your</p> <p>23 recollection as to who RaPower3 is and then how</p> <p>24 you've been involved with them.</p> <p>25 (Witness examining document.)</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. What is it?</p> <p>2 A. It's an e-mail between myself and</p> <p>3 Glenda Johnson, and I think Greg Shepard is also on</p> <p>4 the e-mail.</p> <p>5 Q. When did you write this e-mail?</p> <p>6 A. Looks like Monday, April 18, 2016.</p> <p>7 Q. And I see your name and then an e-mail</p> <p>8 address, prestonfx@gmail.com.</p> <p>9 A. Yes.</p> <p>10 Q. Is that your e-mail address?</p> <p>11 A. That's my e-mail address, yes.</p> <p>12 Q. Then below that in the To column it says</p> <p>13 Greg Shepard, shepherdfoundation2@outlook.com.</p> <p>14 See that?</p> <p>15 A. Yes. I don't know about the e-mail</p> <p>16 address, but I believe it's Greg Shepard.</p> <p>17 Q. Do you correspond with Greg Shepard via</p> <p>18 e-mail?</p> <p>19 A. Occasionally, yes.</p> <p>20 Q. And below that it says in the cc line</p> <p>21 Glenda Johnson, glendaejohnson@hotmail.com.</p> <p>22 Whose e-mail address is that?</p> <p>23 A. I am not sure about the e-mail address,</p> <p>24 but I believe it's Glenda Johnson.</p> <p>25 Q. Who's Glenda Johnson?</p>

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1 Q. (By Mr. Moran) Who did you learn about  
2 the price of the solar lenses from?  
3 A. Well, I read the contract. That's where  
4 ultimately I learned of it.  
5 Q. Who gave you the contract?  
6 A. The contract -- the first contract I  
7 received from Greg Shepard, and then -- I don't  
8 remember when they transitioned to using the online  
9 forms on the RaPower3 website.  
10 Q. So the contract forms you received were  
11 from the RaPower3 website?  
12 A. The initial ones weren't because there  
13 wasn't a RaPower3 website.  
14 MR. JONES: I'd like to place an objection  
15 on the record. That question was leading.  
16 Q. (By Mr. Moran) Do you recall when  
17 Greg Shepard gave you the first contract?  
18 A. I don't recall, but the contract's dated.  
19 Q. Do you recall if he e-mailed it to you?  
20 A. I don't believe it was e-mailed, but I  
21 could be wrong. I think he handed it to me  
22 personally, but I don't honestly remember.  
23 Q. Were you given any opportunity to  
24 negotiate the price of the solar lens?  
25 MR. JONES: Objection. Asked and

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1 answered.  
2 THE WITNESS: I did not negotiate the  
3 price of the lens.  
4 Q. (By Mr. Moran) Do you know if you could  
5 have?  
6 A. I don't know. I didn't ask.  
7 Q. The fourth reason you gave for why you got  
8 involved in the solar lens activity is that you were  
9 interested in cutting edge solar technology?  
10 A. Yes.  
11 Q. What do you mean by that?  
12 A. I mean the technology seems like it's  
13 innovative, and I thought it would be interesting to  
14 be a part of it and some -- go ahead.  
15 Q. Did you look at any other alternatives?  
16 A. I did not.  
17 Q. Are you aware of any other alternatives?  
18 A. I guess I'm aware that you could put, you  
19 know, solar panels on your home. I'm not aware of  
20 other things that -- or at least nothing that seems  
21 like it would be interesting to be a part of.  
22 Q. What do you find interesting about this  
23 activity?  
24 A. I think it could really be beneficial if  
25 the country could use more solar or clean energy.

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1 Q. Why would it be beneficial?  
2 A. It would reduce pollution.  
3 MR. JONES: Objection. Calls for  
4 speculation, the question is vague.  
5 Q. (By Mr. Moran) When you were deciding  
6 whether or not to become involved with the solar lens  
7 activities, did you do any research on International  
8 Automated Systems?  
9 MR. JONES: Objection. Asked and  
10 answered.  
11 THE WITNESS: I don't remember what  
12 research I did other than look at their website.  
13 Q. (By Mr. Moran) Were you aware of any  
14 history they had in solar technology?  
15 A. I'm not aware of any history in solar  
16 technology other than kind of the development of the  
17 solar lenses.  
18 Q. Did you do any investigation into  
19 International Automated Systems' history as a  
20 company?  
21 MR. JONES: Objection. Asked and  
22 answered.  
23 THE WITNESS: I looked at their website,  
24 and I've asked Greg Shepard and Matt Shepard about  
25 the company. That's probably the extent of the

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1 research I did. I may have done Google searches.  
2 Q. (By Mr. Moran) I believe you testified  
3 earlier that they're a public company?  
4 A. Yes. Oh, yes. I have also looked on  
5 EDGAR to check their filings over time.  
6 Q. When you say "EDGAR," what do you mean?  
7 A. I don't know exactly what it stands for,  
8 but the website where you can get public companies'  
9 annual filings, quarterly filings.  
10 Q. Who maintains the EDGAR website?  
11 A. I have no idea.  
12 Q. Do you know if it's a public or private  
13 entity?  
14 A. I do not. The SEC. I have no idea.  
15 Q. Do you think it might be the SEC?  
16 A. I think it might be. I have no idea.  
17 MR. JONES: Objection. Leading.  
18 Q. (By Mr. Moran) So you do recall --  
19 A. Yes.  
20 Q. Did you look -- do you recall looking at  
21 any SEC filings of IAS?  
22 A. I have.  
23 Q. Do you recall what they said?  
24 A. Not exactly. They stated kind of the  
25 outstanding shares, and there's usually a little bit

<p style="text-align: right;">Page 189</p> <p>1 what do you mean by that?</p> <p>2 A. I guess maybe a continuous number, more</p> <p>3 than just the sort of test towers that are down there</p> <p>4 now.</p> <p>5 Q. And you referred to test towers earlier in</p> <p>6 your deposition, if I recall, correct?</p> <p>7 A. Yes.</p> <p>8 Q. Have you ever seen the construction of any</p> <p>9 additional towers?</p> <p>10 A. Just components. I haven't seen any put</p> <p>11 up, you know, constructed.</p> <p>12 Q. Okay. So the number of towers constructed</p> <p>13 has remained the same?</p> <p>14 A. Yes.</p> <p>15 MR. MORAN: No further questions on</p> <p>16 Exhibit 157.</p> <p>17 Counsel, any objection to the authenticity</p> <p>18 of Exhibit 157?</p> <p>19 MR. AUSTIN: No.</p> <p>20 MR. REAY: No.</p> <p>21 MR. JONES: No.</p> <p>22 MR. AUSTIN: Can we go off the record?</p> <p>23 MR. MORAN: Yes.</p> <p>24 (Discussion held off the record.)</p> <p>25 Q. (By Mr. Moran) Mr. Olsen, I'm handing</p>	<p style="text-align: right;">Page 191</p> <p>1 what's been marked for identification as Plaintiff's</p> <p>2 Exhibit 158, which has been labeled Olsen_P&amp;E --</p> <p>3 let's go off the record.</p> <p>4 (Discussion held off the record.)</p> <p>5 MR. MORAN: Go back on the record.</p> <p>6 Q. (By Mr. Moran) Mr. Olsen, I've handed you</p> <p>7 what's been marked for identification as Plaintiff's</p> <p>8 Exhibit 158, which has been labeled Olsen_P&amp;E-03213</p> <p>9 through Olsen_P&amp;E-03231.</p> <p>10 Do you recognize this document?</p> <p>11 A. Not exactly. I think generally. I mean,</p> <p>12 I'm not exactly sure what this is.</p> <p>13 Q. Do you recall producing this to the</p> <p>14 United States?</p> <p>15 A. If it was in the box that I sent you, then</p> <p>16 I produced it.</p> <p>17 Q. Do you know where you received these</p> <p>18 documents from? Please take your time to review it</p> <p>19 if you'd like.</p> <p>20 A. I think this was an attachment that I</p> <p>21 received at some point from Greg Shepard, an</p> <p>22 attachment to an e-mail.</p> <p>23 Q. So you believe you received Exhibit 158</p> <p>24 from Greg Shepard?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 190</p> <p>1 you what's marked for identification as Plaintiff's</p> <p>2 Exhibit 159. 159 has been labeled Olsen_P&amp;E-2105.</p> <p>3 Do you recognize Plaintiff's Exhibit 159?</p> <p>4 A. Yes.</p> <p>5 Q. What is it?</p> <p>6 A. It's an e-mail between, or from -- between</p> <p>7 me and Greg Shepard.</p> <p>8 Q. I see an e-mail dated December 30, 2015.</p> <p>9 It says from Greg Shepard to Preston Olsen, and then</p> <p>10 the words "Responses in Bold."</p> <p>11 Do you see that?</p> <p>12 A. I see that.</p> <p>13 Q. Whose responses are in bold?</p> <p>14 A. Greg Shepard's.</p> <p>15 Q. So am I to understand that every time I</p> <p>16 see bolded text, that's Greg Shepard's response?</p> <p>17 A. That's my understanding.</p> <p>18 Q. You produced Exhibit 159 to the</p> <p>19 United States?</p> <p>20 A. Yes.</p> <p>21 MR. MORAN: Counsel, any objection to the</p> <p>22 authenticity of Exhibit 159?</p> <p>23 MR. AUSTIN: No.</p> <p>24 MR. REAY: No.</p> <p>25 Q. (By Mr. Moran) Mr. Olsen, I've handed you</p>	<p style="text-align: right;">Page 192</p> <p>1 Q. Okay. Why do you think you received</p> <p>2 Exhibit 158 from Greg Shepard?</p> <p>3 A. Because I see one of the names on here is</p> <p>4 Andrea. I know that's Greg Shepard's daughter.</p> <p>5 Q. How do you know that?</p> <p>6 A. Because I know who she is. I've met her.</p> <p>7 Q. Do you recall receiving documents similar</p> <p>8 to this from Greg Shepard?</p> <p>9 A. I don't honestly recall receiving this</p> <p>10 document, but obviously it was an attachment to an</p> <p>11 e-mail, and when I produced the documents, I tried to</p> <p>12 print everything and all exhibits that I had received</p> <p>13 from Greg or IAUS.</p> <p>14 MR. MORAN: No further questions on</p> <p>15 Exhibit 158.</p> <p>16 Can we take about a five minute break?</p> <p>17 MR. AUSTIN: Sure.</p> <p>18 (Recess from 3:11 p.m. to 3:23 p.m.)</p> <p>19 (Erin Hines no longer present</p> <p>20 telephonically.)</p> <p>21 MR. MORAN: We're on the record.</p> <p>22 Q. (By Mr. Moran) Mr. Olsen, during the</p> <p>23 break, did you have an opportunity to discuss this</p> <p>24 case -- the facts of the case with anyone?</p> <p>25 A. No.</p>