

# UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF UTAH

UNITED STATES of AMERICA  
V.  
RAPOWER-3, LLC, et al.

## EXHIBIT AND WITNESS LIST

Case Number: 2:15-CV-828 DN

PRESIDING JUDGE					PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
David Nuffer					Erin Healy Gallagher	Steven Paul, Neldon Johnson, Gregory Shepard
TRIAL DATE (S)					COURT REPORTER	COURTROOM DEPUTY
4/26/2019					Becky Janke	A. Bowers
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
					Corrected Receivership Order ( <a href="#">ECF No. 491</a> )	
					Receiver's Financial Report ( <a href="#">ECF No. 552</a> )	
					Receiver's Initial Quarterly Status Report ( <a href="#">ECF No. 557</a> )	
					Receiver's Report and Recommendation on Inclusion of Affiliates and Subsidiaries in Receivership Estate ( <a href="#">ECF No. 581</a> )	
					Order Taking Show-Cause Motions Under Advisement ( <a href="#">ECF No. 588</a> )	
					Memorandum Decision and Order Denying Defendants' Rule 26(c) Motion ( <a href="#">ECF No. 589</a> )	
					Memorandum Decision and Order Denying the Johnsons' Rule 26(c) Motions ( <a href="#">ECF No. 591</a> )	
					Order Granting Motion to Withdraw as Counsel ( <a href="#">ECF No. 592</a> )	
					Memorandum Decision Denying Glenda Johnson's Motion for Protective Order ( <a href="#">ECF No. 593</a> )	
					United States' Notice That Service Has Been Made ( <a href="#">ECF No. 594</a> ), with attachments ( <a href="#">ECF No. 594-1</a> , <a href="#">ECF No. 594-2</a> , <a href="#">ECF No. 594-3</a> , and <a href="#">ECF No. 594-4</a> )	
					Neldon Johnson's Opposition to the Receiver's Report (581) and Motion (582) ( <a href="#">ECF No. 597</a> )	
					Receiver's Second Quarterly Report ( <a href="#">ECF No. 608</a> )	
507		4/26/2019	Yes	Yes	IAS 10-K for Fiscal Year ending June 30, 2016	
650					Check from Cobblestone Centre, LC to Randale Johnson in the amount of \$30,000	
743					Composite Exhibit – checks from RaPower-3, LLC, to Neldon Johnson and his family members	
834		4/26/2019	Yes	Yes	Composite Exhibit – bank account signature	
937		4/26/2019	Yes	Yes	1/28/2019 email from Wayne Klein to Neldon and Glenda Johnson re Attached Notices, Subpoenas	
938		4/26/2019	Yes	Yes	1/24/2019 letter from Steven Paul to Wayne Klein re Johnson Deposition Concerns	

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.



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**EXHIBIT AND WITNESS LIST – CONTINUATION**

USA					vs.	RP3	CASE NO.
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES		
2007		5/3/2019	Yes	Yes	Compilation by Loan Peak Valuation of All Transfers from RP3 Bank Accounts to Cobblestone Center Between 2013 and 2018		
2009		5/3/2019	Yes	Yes	Loan Peak Valuation Document Showing Checks Payable to Glenda Johnson 2005 and 2018		
2010		5/3/2019	Yes	Yes	Financial Transaction that went to Glenda Johnson by Means Other than Checks		
2074		5/3/2019	Yes	Yes	Bank Statement for International Automated Systems dated 4/2/2017 from Bank of American Fork		
2085		5/3/2019	Yes	Yes	Document Showing Neldon Johnson Compensation of \$1,000,000/year		
2086		5/3/2019	Yes	Yes	Excerpt of Attachment of N. Johnson's 4/29/2019 Filing, Introduced in Neldon Johnson's Deposition		
2088		5/28/2019	Yes	Yes	5/2/2019 Letter from Wayne Klein re: Johnson Authorization		
2100		5/3/2019	Yes	Yes	Composite of Account of Bank Statements of Glenda Johnson March and April 2019		
2101		5/3/2019	Yes	Yes	Summary Balances of Glenda Johnson of Exhibit 2100		
2102		5/3/2019	Yes	Yes	Transfer to Insiders After Key Court Dates June 2018 thru April 2019		
					WITNESSES:		
		4/26/2019			Wayne Klein, Receiver (Government Witness)		
					Neldon Johnson		
					Glenda Johnson		
					LaGrand Johnson		
					Randale Johnson		
		5/28/2019			R. Gregory Shepard (Shepard Witness)		

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**EXHIBIT AND WITNESS LIST – CONTINUATION**

USA					vs.	RP3	CASE NO. 2:15-CV-828 DN
RCR. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES		
	A				Progressive Aut Insurance Renewal Bill, due date 2/23/2019		
	B				Larry H. Miller Contract to Enter Into a Lease Agreement		
	C				Larry H. Miller Contract to Enter Into a Lease Agreement		
	D				Larry H. Miller Contract to Enter Into a Lease Agreement		
	E				Larry H. Miller Contract to Enter Into a Lease Agreement		
	F				Larry H. Miller Contract to Enter Into a Lease Agreement		
	G				Toyota Financial Services Billing Statement, Statement Date 4/3/2019		
	H				Closed-End Motor Vehicle Lease Agreement Utah, Lease Date 7/21/2016		
	I				US Bank Lease Billing Statement, Billing Summary 4/1/2019		
	J				ILaw VCI-UCL-UT-EPS-14 9/16 Closed-End Motor Vehicle Lease, Lease Date 11/18/2017		
	K				Volkswagen Account Statement, Payment Due Date 4/18/2019		
	L				Gus Paulos Chevrolet Moto Vehicle Contract of Sale, 7/5/2017		
	M				Division of Motor Vehicles Registration Form Certificate, Expires 7/2019		
	N				US Bank Motor Vehicle Lease Agreement Closed-End		
	O				US Bank Lease Billing Statement, Billing Summary 3/31/2019		
					RECEIVER EXHIBITS		
1		4/26/2019	Yes	Yes	11/12/2018 Letter from Wayne Klein to Pacific Stock Transfer Co. re: Request for Information		
2		4/26/2019	Yes	Yes	Subpoena to Pacific Stock Transfer Company		
3		4/26/2019	Yes	Yes	Subpoena to Pacific Stock Transfer Company		
4		4/26/2019	Yes	Yes	1/2/2019 Pacific Stock Transfer Letter to Michael Lehr re: Receipt of Subpoena and Response		
5		4/26/2019	Yes	Yes	1/18/2019 Letter from Wayne Klein to Ashlee Canady, Compliance Manager re: 2 <sup>nd</sup> Request for Information		
6		4/26/2019	Yes	Yes	Affidavit of Process Server upon Pacific Stock Transfer Co. on 3/8/2019 12:08 p.m.		
Court -1		5/28/2019	Yes	Yes	Documents Signed by Denver Snuffer		