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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

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

Defendants.

**DECLARATION OF R. WAYNE KLEIN  
IN SUPPORT OF UNITED STATES'  
MOTION FOR ADDITIONAL  
SANCTIONS**

Civil No. 2:15-cv-00828-DN

The Honorable David Nuffer

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I, R. Wayne Klein, declare as follows:

1. I am the Court-Appointed Receiver ("Receiver") in the above captioned matter. I make this declaration based upon my personal knowledge and the contents of records I maintain in the ordinary course of business, and which I believe to be true. I have personal knowledge of the statements and matters set forth herein and, if called to testify, would testify as follows:

2. On August 26, 2019, I received from the Utah Division of Motor Vehicles ("DMV") information regarding 26 vehicles (including motor vehicles, recreational vehicles,

trailers, watercraft, and aircraft) that DMV identified as being titled in the name of Receivership Defendants.<sup>1</sup>

3. The United States' Exhibit PLEX00958 consists of: a) an accurate copy of an email I sent to Edwin Wall and Kate Conyers on August 29, 2019, b) a spreadsheet I created that summarizes information provided by the DMV, c) accurate copies of records provided to me by the DMV (with redactions), d) a spreadsheet created by Lone Peak Valuation Group, at my direction, identifying payments from Receivership Entities to Sahara Motors, and e) accurate copies of documents provided to me by Sahara Motors on August 26, 2019 (with redactions).

4. The United States' Exhibit PLEX00959 consists of: a) an accurate copy of an email I sent to Steven Paul and Denver Snuffer of Nelson Snuffer Dahle & Poulsen on August 29, 2019, b) a spreadsheet created by Lone Peak Valuation Group, at my direction, identifying payments from Receivership Entities to Sahara Motors, c) accurate copies of documents provided to me by Sahara Motors on August 26, 2019 (with redactions), and d) accurate copies of documents I received by mail from Glenda Johnson on August 21, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 25<sup>th</sup> day of September, 2019, at Salt Lake City, Utah.

  
R. Wayne Klein

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<sup>1</sup> DMV records showed vehicles were titled in the name of Neldon Johnson, Cobblestone Centre, XSun Energy, IAS, RaPower, and U-Check.