

**ROBB EVANS OF
ROBB EVANS & ASSOCIATES LLC
Receiver of I Works, Inc., et al. and
the Assets of Jeremy Johnson**

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**Federal Trade Commission v. Jeremy Johnson, I Works, Inc., et al.
CASE No. 2:10-CV-02203-RLH-GWF**

Notice of Motion and Motion for Order:

- (1) Authorizing Receiver to List and Offer for Sale Multiple Real Properties;**
- (2) Authorizing Receiver to List and Offer for Sale Aircraft (Tail No. N13HG); and**
- (3) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors**

Filed August 21, 2013

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11 **ROBB EVANS OF ROBB EVANS & ASSOCIATES**
12 **LLC**

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

16 FEDERAL TRADE COMMISSION,
17 Plaintiff,
18 v.
19 JEREMY JOHNSON, etc., et al.,
20 Defendants.

Case No. 2:10-CV-02203-MMD-GWF
**NOTICE OF FILING OF MOTION FOR
ORDER: (1) AUTHORIZING
RECEIVER TO LIST AND OFFER FOR
SALE MULTIPLE REAL PROPERTIES;
(2) AUTHORIZING RECEIVER TO
LIST AND OFFER FOR SALE
AIRCRAFT (TAIL NO. N13HG); AND
(3) GRANTING RELIEF FROM LOCAL
RULE 66-5 PERTAINING TO NOTICE
TO CREDITORS**

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1 PLEASE TAKE NOTICE that Robb Evans of Robb Evans & Associates LLC
2 (“Receiver”), the Receiver pursuant to the Court’s Preliminary Injunction Order issued February
3 10, 2011, has filed with the Court his Motion for Order (1) Authorizing the Receiver ; and (3)
4 Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors (“Motion”). Pursuant to
5 the Motion, the Receiver moves the Court for the following relief:

6 A. An order authorizing the Receiver to engage local or regional real estate brokers
7 experienced in the sale of real property of the type the Receiver seeks to list and market (the
8 "Real Estate Agents"), as described in further detail below, and to enter into one or more written
9 exclusive listing agreements with such Real Estate Agents providing for ordinary and customary
10 terms and conditions for the listing of similar real property assets, including the payment of
11 ordinary and customary sales commissions for each of the real properties, providing for ordinary
12 and customary advertising expenses, and further providing that acceptance of offers and
13 completion of any sales of the real properties are subject to entry of an order of this Court
14 approving each such sale after notice and an opportunity for hearing;

15 B. An order authorizing the Receiver to list and market for sale through the Real
16 Estate Agents the following real properties: (1) a trailer park located at 3265 East Old Pioneer
17 Road, Beaver Dam, Arizona titled to New Horizon Finance, Inc., a Utah corporation dba
18 Horizon's Finance ("Beaver Dam Trailer Park"); (2) undeveloped real property located in Mt.
19 Carmel, Utah identified as Lots 6 and 16 Chamberlain Ranch, Kane County, Utah, with common
20 addresses of 6 Narrows Road, Mt. Carmel, Utah and 16 Narrows Road, Mt. Carmel, Utah titled to
21 Kombi Capital, LP ("Chamberlain Ranch Property"); (3) three parcels of undeveloped real
22 property located in Hurricane, Utah titled to Kombi Capital, LP, including an approximate 19.9
23 acre parcel, an approximate 5.11 acre parcel and an approximate 3.0 acre parcel (Tax Id. Nos. H-
24 4-1-222, H-4-2-1-223 and H-3-1-31-222, respectively, for reference) (collectively "Hurricane
25 Land"); (4) a condominium located at 5 South 500 West #1105, Salt Lake City, Utah titled to
26 Phoenix Rising, LLC ("Salt Lake Condo"); and (5) a single family residential property located at
27 647 Arrowhead Trail, Santa Clara, Utah titled to Triple Seven, LP, or Spyglass Enterprises LLC
28 ("Santa Clara Residence");

1 C. An order authorizing the Receiver to list and market for sale that certain 1996
2 Robinson helicopter bearing Tail No. N13HG titled to Rotortrends, Inc. (the "N13HG
3 Helicopter"). In connection therewith, the Receiver seeks an order authorizing the Receiver to
4 enter into a written listing agreement ("Helicopter Listing Agreement") with Quantum
5 Helicopters as the Aircraft Broker, which provides for payment of a sales commission of up to
6 6% of the final gross sales price for the N13HG Helicopter and for the Aircraft Broker to provide
7 ordinary and customary advertising for the aircraft at the Aircraft Broker's expense; and

8 D. An order deeming notice of the Motion to be sufficient under Local Civil Rule 66-
9 5 based on the service of a notice of the filing of the Motion and the Motion on all parties and
10 service of this notice of the filing of the Motion on all known non-consumer creditors of the estate
11 concurrent with the filing of the Motion with the Court, but not on the tens of thousands of
12 potential consumer creditors.

13 The Motion is made pursuant to 28 U.S.C. §§ 2001 and 2004 and Local Civil Rule 66-5
14 and other applicable law. The Motion is based upon this Notice of Filing of the Motion, the
15 Motion, and the memorandum of points and authorities and the Declaration of Kenton Johnson
16 filed in support thereof, any reply, on the pleadings, records and files of the Court in this
17 receivership proceeding of which the Receiver requests the Court take judicial notice, including
18 without limitation the Preliminary Injunction (Doc. No. 130), the Order Granting Motion for
19 Order Clarifying Preliminary Injunction Order and for Further Instructions Regarding Scope of
20 Receivership Defendants under Preliminary Injunction Order and Report of Receiver's Financial
21 Reconstruction and Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors After
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Hearing ("Clarifying Order") entered March 25, 2013, and on such further oral and documentary evidence and arguments of counsel as may be presented at any hearing on the Motion.

Dated: August 21, 2013

Respectfully submitted,

RANDOLPH L. HOWARD
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By: /s/ Gary Owen Caris

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