

**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-MMD-GWF**

**Notice of Filing of Motion for Order:**

- (1) Approving and Confirming Sale of 5 South 500 West #1105, Salt Lake City, Utah and for Related Relief; and**
- (2) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors**

**Filed March 4, 2014**

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

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14  
15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

17 v.

18 JEREMY JOHNSON, etc., et al.,

19 Defendants.  
20

Case No. 2:10-CV-02203-MMD-GWF

**NOTICE OF FILING OF MOTION FOR  
ORDER: (1) APPROVING AND  
CONFIRMING SALE OF 5 SOUTH 500  
WEST #1105, SALT LAKE CITY, UTAH  
AND FOR RELATED RELIEF; AND  
(2) GRANTING RELIEF FROM LOCAL  
RULE 66-5 PERTAINING TO NOTICE  
TO CREDITORS**

21 PLEASE TAKE NOTICE that Robb Evans of Robb Evans & Associates LLC  
22 (“Receiver”), the Receiver pursuant to the Court’s Preliminary Injunction Order issued  
23 February 10, 2011, has filed his Motion for Order: (1) Approving and Confirming Sale of 5 South  
24 500 West #1105, Salt Lake City, Utah and for Related Relief; and (2) Granting Relief from Local  
25 Rule 66-5 Pertaining to Notice to Creditors (“Motion”). Pursuant to the Motion, the Receiver  
26 moves the Court for an order authorizing the Receiver to sell 5 South 500 West #1105, Salt Lake  
27 City, Utah (“Salt Lake Condominium”) on the terms and conditions more fully described below  
28

1 and for related relief, including without limitation for modification of the sale procedures of 28  
2 U.S.C. section 2001 in connection therewith. The Receiver specifically seeks the following relief:

3 1. An order approving and confirming the Receiver's proposed sale of the Salt Lake  
4 Condominium for a purchase price of \$215,000 to Susan Rieck ("Buyer") pursuant to the Real  
5 Estate Purchase Contract dated as of February 4, 2014 together with the related Addendum No. 1,  
6 Addendum No. 2, with the Additional Terms provisions and "As-Is" Sale Attachments thereto  
7 (collectively the "Purchase Agreement"). A true and correct copy of the Purchase Agreement is  
8 attached as Exhibit 2 to the Declaration of M. Val Miller filed concurrently herewith in support of  
9 the Motion. In connection with the sale, the Receiver further seeks an order:

10 A. Authorizing the Receiver to execute all documents and instruments necessary or  
11 convenient to complete, implement, effectuate and close the sale to the Buyer pursuant to the  
12 terms and conditions of the Purchase Agreement and the order to be entered on the Motion,  
13 including but not limited to authorizing the Receiver to execute the deed, on behalf of the record  
14 title holder Phoenix Rising, LLC ("Phoenix Rising") conveying title to the Salt Lake  
15 Condominium to the Buyer;

16 B. Authorizing the Receiver to permit and/or cause to be paid from the proceeds of  
17 sale of the Salt Lake Condominium all ordinary and customary closing costs, all costs and  
18 expenses required to be paid under the terms of the Purchase Agreement by the seller from the  
19 proceeds of sale, all commissions provided for in the Exclusive Right to Sell Listing Agreement  
20 and the Purchase Agreement attached as Exhibits 1 and 2, respectively, to the Declaration of M.  
21 Val Miller filed in support of the Motion, and all real property taxes due up to date of closing;

22 C. Authorizing the Receiver to complete the sale of the Salt Lake Condominium  
23 without further notice, order or overbidding under the circumstances, including the modest value  
24 of the Salt Lake Condominium, the failure of the Buyer to agree to the sale subject to overbidding,  
25 the fact that the Receiver conducted an informal overbid session prior to entering into the Purchase  
26 Agreement with the Buyer and the proposed purchase price is higher than any of the other offers  
27 for the property received from other potential buyers, and the fact that the proposed purchase price  
28 is equal to the appraised value such that any additional potential recovery from an overbid is

1 unlikely and would not warrant the Receiver incurring additional expenses for publication and  
2 related administrative expenses;

3         2.         An order deeming notice of the Motion to be sufficient under Local Civil Rule 66-5  
4 based on the service of a notice of the filing of the Motion and the Motion on all parties, and  
5 service of a notice of the filing of the Motion on all known non-consumer creditors of the estate,  
6 and on all known taxing authorities with a potential claim in the receivership estate, concurrent  
7 with the filing of the Motion with the Court, but not on the tens of thousands of potential  
8 consumer creditors.

9         The Motion is made pursuant to 28 U.S.C. § 2001 and Local Civil Rules 66-5 and 66-10  
10 and other applicable law and is based upon this notice of filing of the Motion, on the notice of  
11 motion and motion, memorandum of points and authorities and the Declaration of M. Val Miller  
12 filed in support of the Motion, any reply, the pleadings, records and files of this Court in this  
13 matter of which the Receiver requests the Court take judicial notice, and upon all other pleadings,  
14 documentary evidence and argument as may be presented to the Court by the Receiver.

15 Dated: March 4, 2014

Respectfully submitted,

RANDOLPH L. HOWARD  
KOLESAR & LEATHAM, CHTD.

MCKENNA LONG & ALDRIDGE LLP  
GARY OWEN CARIS  
LESLEY ANNE HAWES

By: /s/ Gary Owen Caris

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Lesley Anne Hawes

Attorneys for Receiver  
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