

**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**

**Order to Show Cause as to why
Christensen & Jensen, P.C., Karra Porter, Kelly Macfarlane,
Scott Evans and Sharla Johnson Should not be Held in Contempt of Court
for Violations of Preliminary Injunction Order Entered February 10, 2011**

Filed March 7, 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.
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Case No. 2:10-CV-02203-MMD-GWF

**~~PROPOSED~~ ORDER TO SHOW
CAUSE AS TO WHY CHRISTENSEN &
JENSEN, P.C., KARRA PORTER,
KELLY MACFARLANE, SCOTT EVANS
AND SHARLA JOHNSON SHOULD NOT
BE HELD IN CONTEMPT OF COURT
FOR VIOLATIONS OF PRELIMINARY
INJUNCTION ORDER ENTERED
FEBRUARY 10, 2011**

24 The matter of the Emergency Application for Issuance of Order to Show Cause as to Why
25 Christensen & Jensen, P.C., Karra Porter, Kelly Macfarlane, Scott Evans and Sharla Johnson
26 Should Not Be Held in Contempt of Court for Violations of Preliminary Injunction Order Entered
27 February 10, 2011 (“OSC Application”) filed by Robb Evans of Robb Evans & Associates LLC
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1 (“Receiver”), came on before the Court for determination. The Court having reviewed and
2 considered the OSC Application and all pleadings and papers filed in support thereof, and any
3 response or opposition filed thereto, and good cause appearing therefor,

4 IT IS ORDERED as follows:

5 **ORDER TO SHOW CAUSE AS TO CHRISTENSEN & JENSEN, P.C.,**
6 **KARRA PORTER, KELLY MACFARLANE AND SCOTT EVANS**

7 IT IS ORDERED that the firm of Christensen & Jensen, P.C., and individual attorneys
8 and members of the firm Karra Porter, Kelly Macfarlane and Scott Evans, and each of them
9 (individually and collectively the “Attorney Contemnors”), shall appear in person before this
10 Court for a hearing to be conducted commencing at 2:30 p. .m. on
11 April 29, 2013, 2013 in Courtroom 4A of this Court located at 333 Las Vegas
12 Boulevard South, Las Vegas, Nevada 89101, and shall there and then show cause as to why each
13 of them should not be held in contempt of court for violations of the Preliminary Injunction Order
14 entered February 10, 2011 (“Preliminary Injunction”) as described in the Receiver’s OSC
15 Application, including but not limited to the following:

16 A. The taking and acceptance of a quit claim deed (“Deed”) dated on or about
17 February 1, 2013 from Sharla Johnson and Zibby, LLC to Jeremy Johnson’s residence located at
18 529 South Woodview Circle, St. George, Utah (“Johnson Residence”) and the recording of the
19 Deed in violation of Sections XV.C., XV.S., VI.A., XIV, XIX.C., and XX.C. of the Preliminary
20 Injunction;

21 B. The failure and refusal to rescind the Deed in violation of Sections XVIII and
22 XIX.D. of the Preliminary Injunction;

23 C. The failure and refusal to comply with the Attorney Contemnors’ duties of
24 cooperation and disclosure in failing to provide the Receiver information and documentation
25 requested by the Receiver concerning the Attorney Contemnors’ fee arrangements concerning
26 their representation of defendants in this action in violation of Section XIX.D. of the Preliminary
27 Injunction; and

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1 IT IS FURTHER ORDERED that upon a finding that the Attorney Contemnors are in
2 contempt of Court (“Attorney Contempt Order”), the Court will consider, without limitation, the
3 following relief:

4 A. An order directing the Attorney Contemnors to take all steps necessary and/or
5 appropriate to cause the Deed to be rescinded, cancelled and nullified within two business days of
6 the date of entry of the Attorney Contempt Order;

7 B. An order directing the Attorney Contemnors to take all steps necessary and/or
8 appropriate to cause any and all other transfers of receivership property made to the Attorney
9 Contemnors in connection with their representation in this action, including but not limited to all
10 property claimed by the Receiver to be receivership property, to be rescinded, cancelled and
11 nullified within two business days of the date of entry of the Attorney Contempt Order;

12 C. An order directing the Attorney Contemnors to turn over to the Receiver within
13 two business days of the date of entry of the Attorney Contempt Order true and correct copies of
14 all fee agreements, retainer agreements and any other agreements concerning the representation
15 by the Attorney Contemnors of any and all defendants in this action, including without limitation
16 relief defendants, and including without limitation all agreements pertaining to the source of
17 payment for any and all fees incurred or to be incurred in connection with the Attorney
18 Contemnors’ representation of such defendants and pertaining to the transfer, encumbrance,
19 hypothecation, pledge, assignment, sale or other disposition of any and all assets in connection
20 with such representation; and

21 D. An order directing the Attorney Contemnors to pay to the Receiver on behalf of
22 the receivership estate the amount of all Receiver’s fees and expenses and all fees and expenses
23 of the Receiver’s counsel incurred by the receivership estate in connection with all work related
24 to the facts giving rise to the OSC Application and in connection with the OSC Application and
25 all proceedings thereon, according to proof; and

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ORDER TO SHOW CAUSE AS TO SHARLA JOHNSON

IT IS FURTHER ORDERED that Sharla Johnson shall appear in person before this Court for a hearing to be conducted commencing at 2:30 p. .m. on April 29, _____, 2013 in Courtroom 4A of this Court located at 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, and shall there and then show cause as to why she should not be held in contempt of court for violations of the Preliminary Injunction Order entered February 10, 2011 as described in the Receiver’s OSC Application, including but not limited to the following:

A. The transfer and disposition of title to the Johnson Residence and execution, granting and delivery of the Deed to the Johnson Residence by Sharla Johnson, individually and on behalf of Zibby, LLC in violation of Sections XV.C., XV.S., VI.A., XIV, XIX.C., and XX.C. of the Preliminary Injunction; and

IT IS FURTHER ORDERED that upon a finding that Sharla Johnson is in contempt of Court (“Sharla Johnson Contempt Order”), the Court will consider, without limitation, the following relief:

A. An order directing Sharla Johnson to take all steps necessary and/or appropriate with the Attorney Contemnors to cause the Deed to be rescinded, cancelled and nullified within two business days of the date of entry of the Sharla Johnson Contempt Order;

B. An order directing Sharla Johnson to take all steps necessary and/or appropriate with the Attorney Contemnors to cause any and all other transfers of receivership property made to the Attorney Contemnors in connection with their representation in this action, including but not limited to all property claimed by the Receiver to be receivership property, to be rescinded, cancelled and nullified within two business days of the date of entry of the Attorney Contempt Order; and

C. An order directing Sharla Johnson to pay to the Receiver on behalf of the receivership estate, from assets that do not constitute receivership property, are not claimed to be receivership property and do not constitute assets subject to the asset freeze under the Preliminary Injunction, the amount of all Receiver’s fees and expenses and all fees and expenses of the

1 Receiver's counsel incurred by the receivership estate in connection with all work related to the
2 facts giving rise to the OSC Application and in connection with the OSC Application and all
3 proceedings thereon, according to proof; and

4 IT IS FURTHER ORDERED that service of this Order to Show Cause shall be
5 effectuated by the Receiver on the Attorney Contemnors by service of this Order on Karra Porter,
6 Kelly Macfarlane and Scott Evans at the business address of Christensen & Jensen, P.C., located
7 at 15 West South Temple, Suite 800, Salt Lake City, UT 84101, by overnight mail service for
8 receipt by no later than March 15, 2013; and

9 IT IS FURTHER ORDERED that service of this Order to Show Cause shall be
10 effectuated by the Receiver on Sharla Johnson by: (a) service of this Order on her counsel, Karra
11 Porter at Christensen & Jensen, P.C., located at 15 West South Temple, Suite 800, Salt Lake City,
12 UT 84101, by overnight mail delivery service for receipt by no later than
13 March 15, 2013; (b) service of this Order by overnight mail delivery service
14 on Sharla Johnson addressed to the Johnson Residence for receipt by no later than
15 March 15; and (c) by personal service to be effectuated prior to the hearing
16 on this Order to Show Cause.

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18 Dated: March 7, 2013



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20 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE