

**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 Granting Motion for Order:**

- (1) Approving and Confirming Sale of 3 Acre Parcel in Hurricane, Utah Without Further Notice, Hearing or Overbidding and for Related Relief; and**
- (2) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors**

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15 **UNITED STATES DISTRICT COURT**  
16 **DISTRICT OF NEVADA**

17 FEDERAL TRADE COMMISSION,

18 Plaintiff,

19 v.

20 JEREMY JOHNSON, individually, as officer  
21 of Defendants I Works, Inc., etc., et al.,

22 Defendants.

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

**~~PROPOSED~~ ORDER GRANTING  
MOTION FOR ORDER (1) APPROVING  
AND CONFIRMING SALE OF 3 ACRE  
PROPERTY IN HURRICANE, UTAH  
WITHOUT NOTICE, HEARING OR  
OVERBIDDING AND FOR RELATED  
RELIEF; AND (2) GRANTING RELIEF  
FROM LOCAL RULE 66-5 PERTAINING  
TO NOTICE TO CREDITORS**

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25 The Motion for Order (1) Approving and Confirming Sale of 3 Acre Property in Hurricane,  
26 Utah Without Notice, Hearing or Overbidding and for Related Relief; and (2) Granting Relief  
27 from Local Rule 66-5 Pertaining to Notice to Creditors (“Motion”) filed by Robb Evans of Robb  
28 Evans & Associates LLC (“Receiver”), the Receiver pursuant to the Court’s Preliminary

1 Injunction Order issued February 10, 2011 came on regularly for determination before the Court,  
2 the Honorable Miranda M. Du, United States District Judge presiding. The Court, having  
3 reviewed and considered the Motion, opposition to the Motion, if any, and good cause appearing  
4 therefor,

5 IT IS ORDERED that:

6 1. The Motion and all relief requested therein is granted;

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8 2. Without limiting the generality of the foregoing:

9 A. The Receiver is authorized to enter into that certain Right of Way Contract  
10 (“UDOT Contract”) between the Receiver and the Utah Department of Transportation (“Utah  
11 DOT”) attached as Exhibit 2 to the Declaration of M. Val Miller in support of the Motion and  
12 pursuant thereto to sell and transfer to the Utah DOT that certain approximate 3-acre parcel of  
13 undeveloped land located in the Elim Valley area of Hurricane, Washington County, Utah (“3  
14 Acre Property”) and legally described in Exhibit 1 to the UDOT Contract, in exchange for a cash  
15 payment to the receivership estate of \$75,000.00, with the 3 Acre Property sold and transferred “as  
16 is, where is, with all faults,” and without representations or warranties of any kind or nature as  
17 more fully set forth in the UDOT Contract, and without further notice, hearing, order or  
18 overbidding;

19 B. The Receiver is authorized to execute all documents and instruments necessary or  
20 convenient to complete, implement, effectuate and close the sale of the 3 Acre Property to UDOT  
21 pursuant to the terms of the UDOT Contract, including but not limited to a special warranty deed  
22 conveying title to the 3 Acre Property;

23 C. The Receiver is authorized to permit and/or cause to be paid from the proceeds of  
24 sale of the 3 Acre Property any ordinary and customary closing costs and expenses required to be  
25 paid under the terms of the UDOT Contract by the grantor from the proceeds of sale, all sales  
26 commissions owing in connection with the sale of the 3 Acre Property, including specifically a  
27 sales commission of 6% of the gross sales price pursuant to the Exclusive Listing Agreement &  
28 Agency Disclosure between the Receiver and Brokers Commercial, LLC dba NAI Utah Southern

1 Region ("Broker") dated May 15, 2015 as extended by the Listing Agreement Addendum/Change  
2 Form dated April 19, 2015 (collectively "Listing Agreement") attached as Exhibit 1 to the  
3 Declaration of M. Val Miller in support of the Motion, and all real property tax liens outstanding  
4 and prorated real property taxes due up to the date of closing;

5 D. The Receiver is authorized to complete the sale of the 3 Acre Property without  
6 further notice, hearing, order or overbidding; and

7 3. Notice of the Motion provided by the Receiver by service of the notice of the filing  
8 of the Motion and the Motion on all parties and by service of the notice of the filing of the Motion  
9 (Doc. No. 470) on all known non-consumer creditors of the estate, and on all known taxing  
10 authorities with a potential claim in the receivership estate concurrent with the filing of the Motion  
11 with the Court, is hereby deemed sufficient notice and opportunity for hearing on the Motion  
12 under Local Civil Rule 66-5.

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15 Dated: October 19, 2016



16 MIRANDA M. DU  
United States District Judge

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