

# **EXHIBIT 1**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

FEDERAL TRADE COMMISSION; and )  
UTAH DIVISION OF CONSUMER )  
PROTECTION, )  
Plaintiffs, )  
vs. ) Case No. 2:19-CV-713-DAK  
ZURIXX, LLC, a Utah limited )  
liability company, et al., )  
Defendants. )  
\_\_\_\_\_)

BEFORE MAGISTRATE JUDGE EVELYN J. FURSE

-----

January 9, 2020

Motion Hearing

Transcript Prepared from an Electronically Recorded Hearing

REPORTED BY: Patti Walker, CSR, RPR, CP 801-364-5440

351 South West Temple, #8.431, Salt Lake City, Utah 84101

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

For the FTC:

Collot Guerard  
Joshua A. Doan  
FEDERAL TRADE COMMISSION  
600 Pennsylvania Ave. NW  
Washington, DC 20580

For the Utah Division of  
Consumer Protection:

Robert G. Wing  
UTAH ATTORNEY GENERAL'S OFFICE  
160 East 300 South, 5th Floor  
Salt Lake City, Utah 84111

For the Defendants:

Leonard L. Gordon  
VENABLE LLP  
1270 Ave. of the America's  
24th Floor  
New York, New York 10020

Benson L. Hathaway, Jr.  
KIRTON McCONKIE  
50 East South Temple, 4th Fl.  
Salt Lake City, Utah 84111

1 SALT LAKE CITY, UTAH; THURSDAY, JANUARY 9, 2020; 9:55 A.M.

2 PROCEEDINGS

3 THE COURT: Good morning. We are here in the  
4 matter of Federal Trade Commission vs. Zurixx. My name is  
5 Judge Evelyn Furse. Could I have counsel please put your  
6 appearances on the record.

7 MR. GORDON: Leonard Gordon from the Venable firm,  
8 for the defendants.

9 MR. HATHAWAY: Ben Hathaway, local counsel for the  
10 defendants.

11 MS. GUERARD: Collot Guerard for the Federal Trade  
12 Commission, and my colleague.

13 MR. DOAN: Joshua Doan, also for the Federal Trade  
14 Commission.

15 THE COURT: Thank you.

16 MR. WING: Robert Wing with the Attorney General's  
17 Office.

18 THE COURT: Thank you very much.

19 MR. GORDON: Seated with us are Jim Carlson and  
20 Jeff Spangler, two of the individual defendants.

21 THE COURT: Great. Thank you very much.

22 All right. So I did get your submission regarding  
23 scheduling, and obviously then the motion to stay, and I  
24 have read those. And I would like to hear from the parties  
25 on that. A little bit more time has passed since that was

1 filed, so if there are any changes, I'd like to know about  
2 that since that's defendants' motion. If I could hear first  
3 from defense.

4 MR. GORDON: Of course.

5 Would you prefer me at the podium, Your Honor?

6 THE COURT: Yes, please.

7 MR. GORDON: My pleasure.

8 Good morning again, and thank you for hearing us.

9 On behalf of the defendants, we're happy today to  
10 have the chance to begin to tell our side of the story.  
11 Prior to this action, Zurixx was a successful local company,  
12 employing hundreds of employees, Utah residents, with  
13 thousands of happy and successful customers. They used the  
14 education provided by Zurixx to make money in real estate.

15 To put things in context, Zurixx has served over  
16 100,000 customers. Those customers provided Zurixx with  
17 routinely very high customer satisfaction surveys throughout  
18 their experience with Zurixx. Zurixx was a responsible  
19 member of the community, contributing time and money to  
20 worthy causes locally.

21 Zurixx was not some boiler room hiding in a  
22 basement. It did not hide from regulators, but rather  
23 through a self-regulatory effort headed by the Better  
24 Business Bureau, regularly met with the FTC to discuss  
25 industry issues. All of that ended when the FTC and the

1 Utah Division of Consumer Protection, without any notice or  
2 opportunity to be heard, went to this Court and convinced  
3 the Court to deliver what was essentially a death blow to  
4 Zurixx, freezing the company's assets and appointing a  
5 monitor over the company. The shock and collateral effects  
6 of that order were something from which the company could  
7 not recover. As a result, the owners were forced to agree  
8 to a preliminary injunction that essentially shut the  
9 company down.

10 I'm not going to tell you that Zurixx's marketing  
11 was perfect. No company's marketing is perfect. But few  
12 companies operate perfectly. But more importantly, the  
13 product was legitimate, the business was not a fraud, and  
14 the draconian remedies that the Federal Trade Commission and  
15 the Division of Consumer Protection seek are not justified  
16 by the facts. We also don't think they're justified by the  
17 law.

18 In addition to challenging the factual basis of  
19 the claims against Zurixx, that Zurixx essentially delivered  
20 nothing of value and that its education was illusory, Zurixx  
21 contends that there are substantial legal defects to the  
22 plaintiff's case and that the Court should resolve the  
23 issues arising from those defects before the parties engage  
24 in costly and potentially unnecessary discovery.

25 First, the defendants challenge whether Section

1 13(b) of the Federal Trade Commission Act, which grants the  
2 FTC the authority to seek a permanent injunction, comes with  
3 it the ability to seek monetary relief. That very issue is  
4 being adjudicated, as we speak, in the United States Supreme  
5 Court.

6 In the Liu case, the court will decide whether a  
7 similar statutory grant to the Securities and Exchange  
8 Commission permits the SEC to obtain disgorgement given that  
9 court's prior ruling in the Kokesh case that such relief  
10 constitutes a penalty, not an equitable relief.

11 As a result of the Liu case pending before the  
12 court -- and the Liu case will be argued in March -- we  
13 should have guidance from the court soon. The Solicitor  
14 General of the United States, acting on behalf of the  
15 Federal Trade Commission, asked the Supreme Court to stay  
16 considering the cert. petition filed by defendant in the AMG  
17 case out of the Ninth Circuit. That cert. petition raised  
18 the very issue raised by our motion here, that Section 13(b)  
19 of the FTC Act allowed the FTC to obtain monetary relief.

20 The Solicitor General, acting on behalf of the  
21 FTC, sought a stay in the Supreme Court for a case dealing  
22 with the very issue we're dealing with here, points towards  
23 this Court using its discretion to stay these proceedings,  
24 particularly discovery, until the Supreme Court can provide  
25 guidance on this issue.

1 Further illuminating the lack of clarity on this  
2 issue and the controversy surrounding this issue, the FTC  
3 has sought a cert. petition of the Seventh Circuit's ruling  
4 in the Credit Bureau case. The Credit Bureau case is the  
5 case which agrees with the defendants' position that Section  
6 13(b) does not come with the sort of implied authority to  
7 provide for equitable monetary relief.

8 What's noteworthy, Your Honor, is that in the  
9 Credit Bureau case, the FTC did not proceed to the Solicitor  
10 General's Office, as it typically does in the Supreme Court.  
11 Indeed, for only the fourth time in history, the FTC sought  
12 to proceed directly. And in that case, and contrary to the  
13 position the Solicitor General took on behalf of the FTC in  
14 the Liu case, in the Credit Bureau case, the FTC has urged  
15 the Court to consider its cert. petition directly. This  
16 conflict between the Solicitor General's Office and the FTC  
17 highlights the confusion in this area of the law, the  
18 importance of this issue, and influences, we think, and  
19 should influence and dictate that the Court stay discovery  
20 until these legal issues, which will guide the case, are  
21 resolved.

22 In addition, we've challenged the Division of  
23 Consumer Protection's authority. We've challenged their  
24 ability to regulate conduct that occurs outside of Utah.  
25 The division apparently concedes that its complaint did not



1 make the necessary allegations. As the response to our  
2 motion to dismiss goes well beyond the four corners of the  
3 complaint, we also raise in our motion to dismiss issues  
4 related to the statute of limitations and how the Business  
5 and Opportunities Act should be construed.

6           As the Judge is well aware, this Court has  
7 tremendous discretion over how it controls its docket,  
8 particularly with discovery. Staying discovery now is in  
9 the interests of judicial economy, and, frankly, we think in  
10 the interest of all parties. The issue of what monetary  
11 relief, if any, the Federal Trade Commission is entitled to  
12 will dictate the course of this litigation. If monetary  
13 relief is off the table, I submit that this case will  
14 resolve quickly in a settlement. This is what we're going  
15 to be litigating over is what the individual defendants owe,  
16 similarly with the Attorney General's office, and,  
17 respectfully, the plaintiffs are not prejudiced by a short  
18 stay of discovery.

19           In the context of the temporary restraining order  
20 that Judge Kimball authorized, the FTC has taken possession  
21 through the receiver of every document in the company's  
22 possession. They have completed, essentially, document  
23 discovery. They've got all the e-mails. They've got all  
24 the business records. They've got every piece of paper and  
25 every bit of data that the company had. There is no

1 prejudice there that they won't be able to start documents  
2 review. I'm certain that they have been working on that,  
3 and reviewing that, and they can continue to do that during  
4 the stay. So there really is no prejudice. I mean, as the  
5 Court is well aware, it's the document part of discovery  
6 that typically takes the longest. They have all of our  
7 data.

8           The businesses are not operating. There is no  
9 harm from the ongoing operation of the business. And to the  
10 extent that the plaintiffs claim that, you know, the stay  
11 will somehow hinder the ability to do redress, we submit the  
12 opposite is true. To the extent that the defendants are  
13 forced to engage in discovery, it will be spending money in  
14 attorneys' fees. Those funds will no longer be available  
15 for consumer redress if that becomes necessary.

16           Similarly, to the extent that the defendants have  
17 to do discovery, not only will they be spending their own  
18 money, but a large part of that discovery will be seeking  
19 documents and information from the receiver, who currently  
20 is in possession of all the company's records, information  
21 that the defendants need to properly defend themselves. The  
22 receiver will then have to spend legal fees and other  
23 expenses to comply with that discovery, again, depleting the  
24 assets. And the receivership, which if there is to be some  
25 final monetary award, a large portion of that would be the

1 funds in the receivership estate.

2 In short, staying discovery pending resolution of  
3 the issues in the 13(b) issues and the other issues promotes  
4 judicial economy. The Court won't have to be dealing with  
5 discovery disputes. It saves the plaintiffs money, it saves  
6 the defendants money, and promotes a quick and just final  
7 resolution of this matter, we believe, Your Honor.

8 So with that, I don't have anything further to  
9 say. I'm happy to answer any questions that you might have.

10 THE COURT: So just a couple. What is your  
11 position about third-party discovery and whether that could  
12 continue?

13 MR. GORDON: I think it would depend on the  
14 third-party discovery. If we're talking about tons of  
15 documents and tons of depositions, I think that for the same  
16 reasons, that the receiver might have to, you know, expend  
17 funds. If the FTC and the Division of Consumer Protection  
18 want to issue third-party document subpoenas, it seems to me  
19 that might be a good compromise.

20 THE COURT: Okay. So as I understood the motion  
21 in writing, you were seeking to stay pending the decision on  
22 the motion to dismiss. Today you've talked a lot about the  
23 Supreme Court. Are you asking Judge Kimball to stay his  
24 decision until you get direction from the Supreme Court?

25 MR. GORDON: I think that would be the prudent

1 thing to do. When the Supreme Court is considering the very  
2 issue that the Court is going to be considering, I think  
3 that's wise. I mean, the conflict between the Solicitor  
4 General and the FTC did not fully emerge until after we had  
5 submitted our initial motion to stay.

6 THE COURT: Okay. So are you seeking that today,  
7 a stay through that time?

8 MR. GORDON: Yes, Your Honor.

9 THE COURT: Okay. Thank you.

10 MR. GORDON: Anything else?

11 If you have further questions, I'm happy to answer  
12 them.

13 THE COURT: All right. Thank you.

14 Counsel for the FTC.

15 MS. GUERARD: Good morning, Your Honor. Thank you  
16 for hearing us.

17 On behalf of the plaintiffs, I have four points to  
18 make. One, the scope of discovery in this case does not  
19 hinge on the FTC's ability to get equitable monetary relief.  
20 The legal issue, that legal issue does not predominate. Why  
21 is that? Because the FTC and the division have to prove law  
22 violations. We have to prove violations of the FTC Act, the  
23 Consumer Review Fairness Act, and Utah has to prove  
24 violations of its statutes before we even get to whether or  
25 not an injunctive relief is necessary or equitable monetary

1 relief is appropriate. We have to convince Judge Kimball  
2 that there have been law violations, and that's what we want  
3 discovery on.

4           What does the FTC and Utah have to show? We have  
5 to show the factual issues that we've listed on which we  
6 need discovery that are in the attorney planning report.  
7 That is, Your Honor, ECF 66, and it's at pages six and  
8 seven. Those are factual issues on which the plaintiffs  
9 need discovery. It's not legal issues.

10           And in addition to the factual issues for  
11 discovery that are listed in the attorney planning report,  
12 we need to show that the representations, that the earnings  
13 representations, that the little time and effort  
14 representations, that the hundred percent funding  
15 representations are false or are unsubstantiated, that the  
16 defendants did not have a reasonable basis for the earnings  
17 claim that they were making.

18           We need discovery about what the defendants told  
19 the presenters, the people who sold the products at the free  
20 events, and at the workshops. And those presenters made  
21 millions of dollars. David Freier made \$5.7 million. Marc  
22 Hrisko made \$5.2 million. Claude Swails made \$4.6 million.  
23 What those presenters made are listed in the receiver's  
24 report at 71-12. What kind of guidance, what kind of  
25 monitoring, what kind of feedback did the individual

1 defendants or did Zurixx give to those presenters who were  
2 making, we contend, misrepresentations and inadequate  
3 disclosures?

4           What about the success stories, Your Honor? The  
5 testimonials that are featured in the videos, or the live  
6 testimonials that come at the live workshops and at the free  
7 events, were these testimonials representative of the other  
8 students? We need discovery on that. Are the testimonials  
9 outliers? Are there are earnings and other representations  
10 outliers or were they widespread?

11           We need factual discovery on the relationship  
12 between the defendants and the celebrity endorsors. Did the  
13 celebrity endorsors come to the defendants and say I'm  
14 getting negative feedback from consumers about the workshop  
15 presentations you've been telling me to do? We need that  
16 kind of discovery to show law violations.

17           We need to know about the gag order that's in the  
18 refund settlement agreement, the gag order that prevented  
19 consumers from talking to the FTC or talking to the state  
20 attorney general, or posting on the Internet about their  
21 negative experience with Zurixx.

22           We need discovery of the customer service agents  
23 that work for the defendants. What kind of guidelines were  
24 they given by Zurixx in terms of dealing with consumers when  
25 consumers come to complain. We need factual discovery on

1 the refund policy, when were refunds given and why.

2           The receiver has uncovered two other corporations  
3 that are described in his report, which is I think ECF 71,  
4 Brand Management Holdings and Dorado Marketing & Management.  
5 Those corporations are owned directly or indirectly by the  
6 individual defendants. And those are potential adds to an  
7 amended complaint should the commission vote out an amended  
8 complaint, and we need factual discovery on what those  
9 companies did.

10           So those are, Your Honor, some of the areas on  
11 which the FTC needs discovery. But that's not all, because  
12 the defendants contest each factual issue. And if the Court  
13 looks at ECF 66, the attorney planning report, at pages  
14 three to five, the defendants claim that our 24 declarations  
15 and our 234 complaints are only a small percentage of the  
16 happy consumers. But you know, Judge, we have much more  
17 evidence than that.

18           We have transcripts from 17 free events and four  
19 workshops held in 2019 and 2020 that show that the earnings  
20 representations were made. We have declarations from  
21 nine -- nine investigator declarations, including from an  
22 investigator who is sitting here now. She works for the  
23 division.

24           The defendants claim that they have trained and  
25 certified the customer service agents and the instructional

1 teams. Well, what was that training? What kind of  
2 feedback -- what kind of feedback did the defendants give to  
3 the customer service agents who were speaking to consumers?  
4 We need that factual discovery.

5 The defendants claim that they worked with  
6 something called URS, a part of the Better Business Bureau.  
7 Well, what were the defendants hearing from URS about their  
8 representations to consumers at the events? And the  
9 depositions -- the asset related depositions that the FTC in  
10 Utah took of Mr. Spangler and Carlson indicates to us that  
11 URS had problems with the representations that were made.  
12 Well, we need factual discovery on it.

13 Your Honor, Zurixx claims that we have all of the  
14 documents. But Your Honor is an experienced litigator.  
15 Documents are not self-explanatory. You need depositions to  
16 explain documents. And you need discovery -- documents  
17 don't talk about phone calls that were made or meetings  
18 between celebrities and the defendants. What kind of  
19 feedback were the celebrities, the endorsors giving to the  
20 defendants?

21 So in sum, regardless of whether Section 13(b)  
22 authorizes equitable monetary relief, we don't even get to  
23 that issue until we've been able to prove law violations,  
24 and we need discovery on facts.

25 My second point, Your Honor, is the harm to the



1 plaintiffs, to the FTC and Utah. The longer that discovery  
2 is delayed of the defendants and of their employees, the  
3 customer service agents, the managers -- you know, memories  
4 tend to fade. Notes that they may have taken may be  
5 destroyed. We don't have every single document of the  
6 defendants or of their employees.

7           We need discovery, as I mentioned earlier,  
8 regarding these two potential corporations. We need  
9 discovery to find out what the celebrities told the  
10 defendants about the presentations and what they were  
11 hearing from customers. And the longer that we delay  
12 discovery, memories fade. It's hard to find people. It's  
13 harder and harder to find people.

14           So there is very concrete harm to the FTC and to  
15 Utah. And there is harm to the receiver because the  
16 receivership costs will increase. I mean, the receiver now  
17 has pending before Judge Kimball a motion for approximately  
18 \$400,000 in reimbursement. Our goal is to accomplish  
19 factual discovery quickly and either move for summary  
20 judgment or go to trial.

21           My third point, Your Honor, is that it's unlikely  
22 that Judge Kimball is going to grant the defendants' motion  
23 to dismiss. First of all, it's unlikely that Judge Kimball  
24 is going to buck, to disagree with the Tenth Circuit ruling  
25 that the FTC has equitable monetary relief as set forth in

1 the Freecom decision and then in the LonePointe unpublished  
2 decision. And it's unlikely that Judge Kimball is going to  
3 disagree with Judge Shelby in the Nudge case, and Your Honor  
4 sits on that case as well.

5 In that case, Judge Shelby rejected the very  
6 arguments that defendants are making regarding the authority  
7 of the FTC to seek and the authority of the court to issue  
8 equitable monetary relief. And Judge Kimball also notes  
9 that the defendants raised a motion to stay everything in  
10 the Nudge case pending resolution of the Liu petition for  
11 cert. argument before the court, and he rejects that as well  
12 in a footnote.

13 Your Honor, the defendants raise for the first  
14 time in their reply the Liu petition for cert. It's  
15 improper, Your Honor, to raise something new for the first  
16 time in a reply. That's improper. We have not -- Utah and  
17 the FTC have not had an opportunity to brief Liu. And if  
18 the Court is inclined to stay discovery based on this new  
19 argument to which the plaintiffs have not been able to  
20 respond, then we seek leave to file a written response and  
21 explain to the Court why disposition of the Liu case,  
22 regardless of how it goes, does not affect whether or not  
23 the FTC, a different federal agency, has equitable monetary  
24 relief authority, whether we can seek monetary redress for  
25 consumers or whether the Court has authority to grant it.

1           So right now, Your Honor, we oppose the motion to  
2 stay vigorously. We need fact discovery. We need to prove  
3 law violations. Law violations come first. Later on is  
4 what's the appropriate remedy.

5           That's all I have to say, Your Honor.

6           Utah, do you have anything you want to add?

7           MR. WING: No. We join with the FTC's argument.

8           MS. GUERARD: If there are any questions, I will  
9 be glad to try to answer them.

10           THE COURT: I have one question, and I will start  
11 by giving you permission not to answer it because it is a  
12 bit of an awkward question.

13           One of the defendants' arguments is basically that  
14 once there is a decision on the potential realm of  
15 liability, then they will be in a much better position to be  
16 prepared to settle the case, and given the circumstances of  
17 the business, they will be willing to do that -- or likely  
18 willing to do that. And I just would be interested in your  
19 thoughts on that issue as far as saving the FTC, the  
20 receiver time and money if that is indeed the case. But  
21 like I said, I give you permission not to answer that as  
22 settlement talks are, of course, confidential.

23           MS. GUERARD: We are going to engage in settlement  
24 negotiations this afternoon with the three individual  
25 defendants present, which I think is very important to have

1 the actual parties who are involved as well as their  
2 co-counsel. Your Honor, I can't predict what's going to  
3 happen, so it's very hard for me to answer that question.

4 I've had a number of cases where defendants --  
5 where settlement negotiations have fallen down because of  
6 the amount of money that the FTC believes a defendant is  
7 able to pay. But I've had also negotiations reach  
8 successful settlements when we have been able to agree on  
9 monetary relief.

10 So I'm sorry I can't answer that specific  
11 question.

12 THE COURT: No problem.

13 MS. GUERARD: Thank you so much.

14 THE COURT: Thank you very much.

15 Anything further?

16 MR. GORDON: Very briefly, Your Honor. Thank you  
17 for the opportunity.

18 When I listened to my colleague's description of  
19 why the FTC and the Division of Consumer Protection need  
20 discovery and the topics on which they need discovery, I  
21 heard again and again things that should be in the documents  
22 that they already have possession of. They know what one of  
23 our presenters made to the cent. They obviously have a  
24 great deal of information about what our presenters were  
25 told and what they did. They've got transcripts. They've

1 got all of our e-mail. They've got all of our  
2 communications. They've got all of our data.

3 To the extent there are documents in the file, our  
4 CRM, our customer relationship management software, which  
5 has every note, every interaction with every customer that  
6 we had, we don't have that currently. We're willing to, you  
7 know, defer getting that to save money and hopefully resolve  
8 this case sensibly.

9 She talked about the need for guidelines. Those  
10 are in our documents. They talked about policies. They  
11 talked about training. They talked about communication  
12 regarding URS. Again, that all should be in the e-mail and  
13 documents that they already have.

14 And, again, we're not saying they never get  
15 discovery. But given the volume of material that they've  
16 got, we don't think there is significant prejudice, if any  
17 prejudice, to deferring this discovery until these important  
18 issues are resolved.

19 Regarding why we didn't raise the Liu issue  
20 earlier, it was the Solicitor General's filing of a petition  
21 seeking a stay in the Supreme Court that really highlighted  
22 for us that this is an issue that ought to be brought to the  
23 Court's attention, and that's why we raised it when we did.

24 And finally, on settlement, I think it speaks for  
25 itself. If the FTC cannot get monetary relief, this case

1 will be dramatically easier to settle. I don't think there  
2 can be any serious quibble with that.

3 Thank you, Your Honor, unless you have further  
4 questions.

5 THE COURT: I think that's everything.

6 MR. GORDON: Thank you very much.

7 THE COURT: Thank you.

8 So I always like to try and give parties an answer  
9 at the time of the hearing on a motion like this, but I  
10 don't think I can do that today. So I apologize. I do  
11 think, given the shift in the request from pausing discovery  
12 until the motion is decided, to pausing discovery until the  
13 Supreme Court has had a chance to weigh in, I think it does  
14 make sense to give time for the FTC to provide their  
15 thoughts on that issue. Since the burden is on the  
16 defendants, I will also give the defendants an opportunity  
17 to respond to that.

18 What sort of time frame would the plaintiffs like  
19 for that?

20 MS. GUERARD: Your Honor, if we could have two  
21 weeks, we can do that.

22 And notwithstanding what's put into the stipulated  
23 preliminary injunction, I think it's at page 28, that the  
24 third-party discovery can begin, and notwithstanding the  
25 footnote in the attorney planning report about the

1 third-party discovery, may we begin third-party discovery?

2 THE COURT: Given the arguments, I think it's okay  
3 to go ahead and start third-party discovery that is for  
4 documents. Let's hold off on noticing up any depositions  
5 until I can decide this motion.

6 And so two weeks puts that briefing due  
7 January 23rd.

8 And how long do you anticipate needing to respond  
9 to that?

10 MR. GORDON: Can we get ten days, Your Honor?

11 THE COURT: We can do that. So we'll look for a  
12 response on the 3rd of February. And then I will try and  
13 get you an answer shortly after that.

14 Good luck this afternoon. If you have wild  
15 success, do let me know.

16 MR. GORDON: We shall, Your Honor.

17 THE COURT: All right. Thank you all very much.

18 MR. GORDON: Thank you. We appreciate your time.

19 THE COURT: We'll be in recess.

20 (Whereupon, the proceeding was concluded.)  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

I hereby certify that the foregoing matter is transcribed from the stenographic notes taken by me and is a true and accurate transcription of the same.

PATTI WALKER, CSR-RPR-CP                      DATED: 1-21-2020  
Official Court Reporter  
351 South West Temple, #8.431  
Salt Lake City, Utah 84101  
801-364-5440