

8-26-2011

Grazer v. Jones Clerk's Record v. 1 Dckt. 38852

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Vol. 1 of 6

**IN THE
SUPREME COURT
OF THE
STATE OF IDAHO**

Docket No. 38852

ALLEN F. GRAZER

Plaintiff/Appellant

vs.

LAW CLERK

GORDON A. JONES et al

Defendants/Respondents

DAVID C. NYE District Judge

Appealed from the District Court of the **SIXTH**
Judicial District of the State of Idaho, in and for

FRANKLIN County.

LINCOLN HOBBS

Attorney for Appellants

LANE V. ERICKSON

Attorney for Respondents

Filed this FILED - COPY day of July, 2011

JUG 26 2011

Clerk
Deputy

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38852

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN

* * * * *

)	
)	
ALLEN F. GRAZER, an individual,)	
)	
Plaintiff/Appellant,)	Docket No. 38852
)	
vs.)	
)	
GORDON A. JONES, an individual;)	
GORDON A. JONES, Personal)	
Representative of THE ESTATE OF)	
LINDA G. JONES, deceased; J&J)	
LIVESTOCK, LLC, a Utah Limited)	
Liability Company; and John Does 1-10,)	
)	
Defendants/Respondents.)	
_____)	

CLERK'S RECORD ON APPEAL

Appeal from the District Court of the Sixth Judicial District
of the State of Idaho, in and for the County of Franklin

Honorable DAVID C. NYE
District Judge

APPEARANCES:

Lincoln Hobbs
Margaret H. Olson
HOBBS & OLSON
466 East 500 South, Suite 300
Salt Lake City, UT 84111

Attorney for Appellant

Lane V. Erickson
RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED
PO BOX 1391
Pocatello, ID 83204-1391

Attorney for Respondents

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Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User		Judge
5/12/2005	NCOC	HARRIS	New Case Filed - Other Claims	Don L Harding
		HARRIS	Filing: A1 - Civil Complaint, More Than \$1000 No Prior Appearance Paid by: Hobbs & Olson, LC Receipt number: 0001351 Dated: 5/12/2005 Amount: \$77.00 (Check)	Don L Harding
	APER	HAMPTON	Plaintiff: Grazer, Allen F. Appearance Margaret H. Olson	Don L Harding
	LISP	HAMPTON	Lis Pendens	Don L Harding
6/15/2005	APPL	HAMPTON	Application for Prejudgment Writ of Attachment	Don L Harding
	NOTC	HAMPTON	Notice of Hearing	Don L Harding
	MEMO	HAMPTON	Memorandum in Support of Application for Prejudgment Writ of Attachment	Don L Harding
6/23/2005	ACKS	HAMPTON	Acceptance of Service	Don L Harding
	AFFD	HAMPTON	Affidavit of Allen F. Grazer in Support of Prejudgment Writ of Attachment	Don L Harding
6/30/2005	SMIS	HAMPTON	Summons issued: Gordon A. Jones/ Shawn Potter Esquire	Don L Harding
7/1/2005	HRSC	HAMPTON	Hearing Scheduled (Hearing Scheduled 07/28/2005 01:30 PM) Plaintiff's Application for Prejudgment Writ of Attachment	Don L Harding
7/8/2005		HAMPTON	Filing: I1A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: J & J Livestock, LLC (defendant) Receipt number: 0001986 Dated: 7/8/2005 Amount: \$52.00 (Check)	Don L Harding
	SMIS	HAMPTON	Summons - Gordon Jones	Don L Harding
7/22/2005	MEMO	HAMPTON	Memorandum in Opposition to Plaintiff's Motion for Injunctive Relief and Prejudgment Writ of Attachment	Don L Harding
7/27/2005	HRVC	HAMPTON	Hearing result for Hearing Scheduled held on 07/28/2005 01:30 PM: Hearing Vacated Plaintiff's Application for Prejudgment Writ of Attachment	Don L Harding
7/28/2005	STIP	HAMPTON	Stipulation for Prejudgment Writ of Attachment and Injunction	Don L Harding
8/1/2005		HAMPTON	Filing: S1 - Filing Foreign Judgment Judgment Creditor Paid by: Olson, Margaret H. (attorney for Grazer, Allen F.) Receipt number: 0002259 Dated: 8/1/2005 Amount: \$7.00 (Check)	Don L Harding
	NOFG	HAMPTON	Notice Of Filing Foreign Judgment	Don L Harding
	AFFD	HAMPTON	Affidavit of Margaret H. Olson re: Foreign Judgment	Don L Harding
8/22/2005	WRIT	HAMPTON	Prejudgment Writ of Attachment and Injunction	Don L Harding
	STAT	HAMPTON	Case Status Changed: closed	Don L Harding
11/21/2005	NOTC	HAMPTON	Notice of Change of Address	Don L Harding

Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User		Judge
11/21/2005	STAT	HAMPTON	Case Status Changed: reopened	Don L Harding
	MOTN	HAMPTON	Motion to Amend Complaint	Don L Harding
	MEMO	HAMPTON	Memorandum in Support of Motion to Amend Complaint	Don L Harding
11/22/2005	ORDR	HAMPTON	Order to Amend Complaint	Don L Harding
5/30/2006	NOTC	HAMPTON	Notice of Withdrawal of Counsel-Shawn Potter for Jones	Don L Harding
7/19/2006	NOTC	HAMPTON	Notice of Removal of Civil Action by Trustee	Don L Harding
	STAT	HAMPTON	Case Status Changed: closed pending clerk action	Don L Harding
1/8/2007	NOTC	HAMPTON	Notice of Removal of Civil Action by Trustee-Jubber	Don L Harding
	ORDR	HAMPTON	Order Remanding Adversary Proceeding-Certified Copy	Don L Harding
12/28/2007	MISC	HAMPTON	Request for Scheduling and Management Conference-Olson	Don L Harding
1/2/2008	NOTC	HAMPTON	Notice of Withdrawal of Counsel	Don L Harding
2/4/2008	APER	HAMPTON	Defendant: Jones, Gordon A. Appearance Lane V. Erickson	Don L Harding
	APER	HAMPTON	Defendant: Jones, Linda G. Appearance Lane V. Erickson	Don L Harding
	APER	HAMPTON	Defendant: J & J Livestock, LLC Appearance Lane V. Erickson	Don L Harding
	NOAP	HAMPTON	Notice Of Appearance - Lane Erickson	Don L Harding
2/12/2008	HRSC	HAMPTON	Hearing Scheduled (Status 03/13/2008 03:00 PM)	Don L Harding
3/13/2008	HRHD	HAMPTON	Hearing result for Status held on 03/13/2008 03:00 PM: Hearing Held	Don L Harding
3/21/2008	HRSC	HAMPTON	Hearing Scheduled (Bench Trial 11/05/2008 09:00 AM) afternoon of 6th if needed	Don L Harding
	HRSC	HAMPTON	Hearing Scheduled (Bench Trial Pretrial 10/09/2008 01:30 PM)	Don L Harding
5/16/2008	MISC	HAMPTON	Plaintiff's Disclosure of Witness-Hobbs	Don L Harding
8/6/2008	CONT	HAMPTON	Hearing result for Bench Trial Pretrial held on 10/09/2008 01:30 PM: Continued	Don L Harding
	HRSC	HAMPTON	Hearing Scheduled (Bench Trial Pretrial 10/23/2008 01:30 PM)	Don L Harding
	AMEN	HAMPTON	AMENDED Notice of Hearing	Don L Harding
8/18/2008	HRSC	HAMPTON	Hearing Scheduled (Motion to Withdraw 09/11/2008 01:45 PM) Motion to Withdraw Attorney-Lane Erickson	Don L Harding
8/21/2008	MOTN	HAMPTON	Motion to Withdraw as Attorney of Record-Erickson	Don L Harding

Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User		Judge
8/21/2008	NOTC	HAMPTON	Notice of Hearing for Motion to Withdraw as Attorney of Record-Erickson	Don L Harding
9/10/2008	WDRW	HAMPTON	Withdrawal of Motion to Withdraw as Attorney of Record-Erickson	Don L Harding
10/1/2008	CHJG	HAMPTON	Change Assigned Judge (batch process)	
10/7/2008	ADOR	HAMPTON	Administrative Order of Reference	Mitchell W. Brown
	HRSC	HAMPTON	Hearing Scheduled (Bench Trial 11/05/2008 09:00 AM)	Mitchell W. Brown
10/10/2008	CHJG	HAMPTON	Change Assigned Judge	Stephen S. Dunn
	ADOR	HAMPTON	Administrative Order of Reference	Stephen S. Dunn
10/15/2008	APER	HAMPTON	Defendant: Jones, Linda G. Appearance Kent Lee Hawkins	Stephen S. Dunn
	SUBC	HAMPTON	Substitution Of Counsel-Hawkins	Stephen S. Dunn
10/24/2008	ORDR	HAMPTON	Order of Reference	Stephen S. Dunn
11/4/2008	CHJG	HAMPTON	Change Assigned Judge	David C. Nye
5/13/2009	MOTN	HAMPTON	Defendant Gordon A. Jones' Motion to Dismiss-Erickson	David C. Nye
	AFFD	HAMPTON	Affidavit of Lane V. Erickson in Support of Defendant Gordon A. Jones' Motion to Dismiss-Erickson	David C. Nye
	MOTN	HAMPTON	Defendant Gordon A. Jones' Motion to Dismiss-Erickson	David C. Nye
	AFFD	HAMPTON	Affidavit of Lane V. Erickson in Support of Defendant Gordon A. Jones' Motion to Dismiss-Erickson	David C. Nye
6/10/2009	MEMO	HAMPTON	Memorandum in Opposition to Gordon A. Jones' Motion to Dismiss-Hobbs	David C. Nye
6/19/2009	MISC	HAMPTON	Defendant Gordon A. Jones' Reply to Memorandum in Opposition and Motion for Sanctions-Erickson	David C. Nye
	AFFD	HAMPTON	Supplemental Affidavit of Lane V. Erickson-Erickson	David C. Nye
6/23/2009	HRSC	HAMPTON	Hearing Scheduled (Motion 07/31/2009 02:00 PM)	David C. Nye
6/25/2009	NOTC	HAMPTON	Notice of Hearing-Erickson	David C. Nye
7/2/2009	MOTN	HAMPTON	Defendant Linda G. Jones' Joinder in Motion to Dismiss-Gallafent	David C. Nye
7/22/2009	MEMO	HAMPTON	Memorandum in Opposition to Linda G. Jones' Joinder in Motion to Dismiss-Hobbs	David C. Nye
	MEMO	HAMPTON	Plaintiff's Memorandum in Opposition to Defendant Gordon A. Jones' Motion for Sanctions-Hobbs	David C. Nye

Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User	Judge
7/31/2009	CMIN	HAMPTON	David C. Nye
			Court Minutes Hearing type: Motion to Dismiss Hearing date: 7/31/2009 Time: 2:13 pm Courtroom: Court reporter: Stephanie Morse Minutes Clerk: Linda HAMPTON Tape Number: Plaintiff: Lincoln Hobbs Mr. Jones: Lane Erickson Mrs. Jones: Dave Gallafant
	DCHH	HAMPTON	David C. Nye
			Hearing result for Motion held on 07/31/2009 02:00 PM: District Court Hearing Held Court Reporter: Stephanie Morse Number of Transcript Pages for this hearing estimated: less than 100 pages
	AMEN	HAMPTON	David C. Nye
	APER	HAMPTON	David C. Nye
			Defendant: Jones, Linda G. Appearance Dave Robert Gallafent
8/21/2009	MEOR	HAMPTON	David C. Nye
11/4/2009	MOTN	HAMPTON	David C. Nye
			Motion to File Second Amended Complaint-Hobbs
	MEMO	HAMPTON	David C. Nye
			Memorandum in Support of Motion to File Second Amended Complaint-Hobbs
11/13/2009	HRSC	HAMPTON	David C. Nye
			Hearing Scheduled (Motion 11/24/2009 09:30 AM)
11/30/2009	NOTC	HAMPTON	David C. Nye
			Notice of Hearing
12/7/2009	STIP	HAMPTON	David C. Nye
			Stipulation for Filing Second Amended Complaint-Hobbs
	MISC	HAMPTON	David C. Nye
			Second Amended Complaint-Hobbs
2/25/2010	AFFD	HAMPTON	David C. Nye
			Affidavit of Service-Jason Jones
2/26/2010	APER	HAMPTON	David C. Nye
			Defendant: Jones, Jason Appearance Jared A Steadman
		HAMPTON	David C. Nye
			Filing: I1 - Initial Appearance by persons other than the plaintiff or petitioner Paid by: Steadman, Jared A (attorney for Jones, Jason) Receipt number: 0000582 Dated: 2/26/2010 Amount: \$58.00 (Check) For: Jones, Jason (defendant)
	NOTC	HAMPTON	David C. Nye
			Notice of Special Appearance-Steadman
	MISC	HAMPTON	David C. Nye
			Defendant Jason Jones' Motion to Dismiss-Steadman
	AFFD	HAMPTON	David C. Nye
			Affidavit of Jason Jones-Steadman
	AFFD	HAMPTON	David C. Nye
			Affidavit of Barbara Jones-Steadman
	BREF	HAMPTON	David C. Nye
			Brief in Support of Motion to Dismiss-Steadman
3/4/2010	HRSC	HAMPTON	David C. Nye
			Hearing Scheduled (Motion to Dismiss 03/24/2010 10:30 AM)

Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User		Judge
3/8/2010	CONT	HAMPTON	Hearing result for Motion to Dismiss held on 03/24/2010 10:30 AM: Continued Motion to Dismiss Defendant	David C. Nye
	HRSC	HAMPTON	Hearing Scheduled (Motion to Dismiss 04/30/2010 10:30 AM)	David C. Nye
3/9/2010	NOTC	HAMPTON	Notice of Hearing on Defendant Jason Jones' Motion to Dismiss-Gallafent	David C. Nye
3/23/2010	SMIS	KJONES	Summons Issued	David C. Nye
4/19/2010	MEMO	HAMPTON	Memorandum in Response to Motion to Dismiss and Brief in Support of Motion to Dismiss (Of Defendant Jason Jones)-Hobbs	David C. Nye
4/28/2010	NOTC	HAMPTON	Notice Regarding April 30, 2010 Hearing-Hobbs	David C. Nye
	AFFD	HAMPTON	Affidavit of Service	David C. Nye
4/30/2010	HRHD	HAMPTON	Hearing result for Motion to Dismiss held on 04/30/2010 10:30 AM: Hearing Held	David C. Nye
5/3/2010	NOTC	HAMPTON	Second Notice of Special Appearance-Steadman	David C. Nye
	MISC	HAMPTON	Defendant Jason Jones' Renewed Motion to Dismiss-Steadman	David C. Nye
6/11/2010	DEOP	HAMPTON	Decision on Motion to Dismiss	David C. Nye
6/28/2010	ORDR	HAMPTON	Order for Submission of Information for Scheduling Order	David C. Nye
7/21/2010	MISC	HAMPTON	Joint Statement Submitting Information for Scheduling Order-Hobbs	David C. Nye
7/29/2010	MOTN	HAMPTON	Motion for Leave to File Third Amended Complaint-Hobbs	David C. Nye
	MEMO	HAMPTON	Memorandum in Support of Motion for Leave to File Third Amended Complaint-Hobbs	David C. Nye
8/20/2010	HRSC	HAMPTON	Hearing Scheduled (Court Trial 02/08/2011 09:00 AM)	David C. Nye
	HRSC	HAMPTON	Hearing Scheduled (Court Trial 05/17/2011 09:00 AM)	David C. Nye
	HRSC	HAMPTON	Hearing Scheduled (Court Trial 09/20/2011 09:00 AM)	David C. Nye
	ORDR	HAMPTON	Scheduling Order, Notice of Trial Setting, and Initial Pretrial Order	David C. Nye
8/25/2010	HRSC	HAMPTON	Hearing Scheduled (Motion 09/02/2010 10:30 AM)	David C. Nye
	NOTC	HAMPTON	Notice of Hearing	David C. Nye
9/1/2010	MISC	HAMPTON	Defendant Linda G. Jones' Joinder in Objection to Motion to Dismiss-Steadman	David C. Nye

Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User	Judge
9/2/2010	CMIN	HAMPTON	David C. Nye
			Court Minutes Hearing type: Motion Hearing date: 9/2/2010 Time: 10:42 am Courtroom: Court reporter: Stephanie Morse Minutes Clerk: Linda HAMPTON Tape Number: Lincoln Hobbs - telephone Layne Erickson - telephone Jared Steadman
	DCHH	HAMPTON	David C. Nye
			Hearing result for Motion held on 09/02/2010 10:30 AM: District Court Hearing Held Court Reporter: Dorothy Snarr Number of Transcript Pages for this hearing estimated: less than 100 pages
9/20/2010	MOTN	HAMPTON	David C. Nye
			Motion to Substitute Gordon A. Jones, Personal Representative of the Estate of Linda G. Jones, Deceased-Hobbs
	MEMO	HAMPTON	David C. Nye
			Memorandum in Support of Motion to Substitute Gordon A. Jones, Personal Representative of the Estate of Linda G. Jones, deceased-Hobbs
10/25/2010	HRSC	HAMPTON	David C. Nye
			Hearing Scheduled (Motion 11/24/2010 10:00 AM) In Bannock County
11/8/2010	NOTC	HAMPTON	David C. Nye
			Notice of Telephonic Hearing
11/15/2010	MISC	HAMPTON	David C. Nye
			Called Lincoln Hobbs' office to change Judge Nye's number to Franklin County.
11/24/2010	CMIN	HAMPTON	David C. Nye
			Court Minutes Hearing type: Motion Hearing date: 11/24/2010 Time: 10:08 am Courtroom: Court reporter: Minutes Clerk: Linda HAMPTON Tape Number: Lincoln Hobbs Lane Erickson
12/13/2010	AFFD	HAMPTON	David C. Nye
	AFFD	HAMPTON	David C. Nye
			Affidavit of Service Affidavit of Service
12/22/2010	NOAP	HAMPTON	David C. Nye
			Notice Of Appearance - Lane Erickson
1/10/2011	NOTC	HAMPTON	David C. Nye
			Notice of Telephonic Status Conference
1/11/2011	HRSC	HAMPTON	David C. Nye
			Hearing Scheduled (Scheduling Conference 01/13/2011 09:00 AM)
1/13/2011	CONT	HAMPTON	David C. Nye
	HRHD	HAMPTON	David C. Nye
			Continued (Court Trial 03/29/2011 09:00 AM) Hearing result for Scheduling Conference held on 01/13/2011 09:00 AM: Hearing Held - telephonically not recorded
	MEOR	HAMPTON	David C. Nye
			Minute Entry And Order

Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User	Judge
1/21/2011	NOTC	HAMPTON	Notice of Service of Defendants' First Set of Discovery to Plaintiff-Erickson
	ANSW	HAMPTON	Answer to Plaintiff's Second Amended Complaint-Erickson
1/24/2011	NOTC	HAMPTON	Notice of Service of Defendants' First Set of Discovery to Plaintiff-Erickson
1/31/2011	NOTC	HAMPTON	Notice of Service of Defendants' Responses to Plaintiff's First Set of Interrogatories and Requests for Production of Documents-Erickson
2/11/2011	MISC	HAMPTON	Defendants' Pre-Trial Brief aka Motion for Summary Judgment-Erickson
	AFFD	HAMPTON	Affidavit of Lane V. Erickson in Support of Defendants' Pre-Trial Brief aka Motion for Summary Judgment-Erickson
	MOTN	HAMPTON	Motion for Summary Judgment and for Issuance of Writ of Execution-Hobbs
	MEMO	HAMPTON	Memorandum of Points and Authorities in Support of Motion for Summary Judgment and Issuance of Writ of Execution-Hobbs
2/16/2011	ORDR	HAMPTON	Order Vacating Trial
2/23/2011	NOTC	HAMPTON	Notice of Taking Summary Judgment Under Advisement
2/24/2011	MISC	HAMPTON	Defendant's Response to Plaintiff's Motion for Summary Judgment and for Issuance of Writ of Execution-Erickson
2/25/2011	NOTC	HAMPTON	Notice of Intent to File Response to Defendant's Pre-Trial Brief aka Motion for Summary Judgment-Hobbs
3/7/2011	MOTN	HAMPTON	Motion for Protective Order-Hobbs
	MEMO	HAMPTON	Memorandum in Support of Motion for Protective Order-Hobbs
	MISC	HAMPTON	Combined Response to Defendants' Pre-Trial Brief aka Motion for Summary Judgment and Reply to Defendants' Response to Plaintiff's Motion for Summary Judgment and for Issuance of Writ of Execution-Hobbs
3/21/2011	REPL	HAMPTON	Defendant's Reply to Plaintiff's Response-Erickson
4/1/2011	DEOP	HAMPTON	Decision on Motions for Summary Judgment
4/26/2011	JDMT	HAMPTON	Judgment, Decree and Order
	STAT	HAMPTON	Case Status Changed: closed
4/28/2011	MEMO	HAMPTON	Rule 54 Memorandum of Costs and Fees-Erickson
	AFFD	HAMPTON	Affidavit of Lane V. Erickson in Support of Rule 54 Memorandum of Costs and Fees-Erickson
5/18/2011	DEOP	HAMPTON	Decision on Costs and Fees

Date: 7/8/2011

Sixth Judicial District Court - Franklin County

User: HAMPTON

Time: 03:51 PM

ROA Report

Page 8 of 8

Case: CV-2005-0000183 Current Judge: David C. Nye

Allen F. Grazer vs. Gordon A. Jones, etal.

Allen F. Grazer vs. Gordon A. Jones, Linda G. Jones, J & J Livestock, LLC, Jason Jones

Date	Code	User		Judge
5/18/2011	JDMT	HAMPTON	Judgment on costs: \$132.29	David C. Nye
6/1/2011	BNDC	HAMPTON	Bond Posted - Cash (Receipt 1700 Dated 6/1/2011 for 100.00)	David C. Nye
	STAT	HAMPTON	Case Status Changed: Closed pending clerk action	David C. Nye
	NOTA	HAMPTON	NOTICE OF APPEAL	David C. Nye
	APSC	HAMPTON	Appealed To The Supreme Court	David C. Nye
	STAT	HAMPTON	Case Status Changed: Inactive	David C. Nye
		HAMPTON	Filing: L4 - Appeal, Civil appeal or cross-appeal to Supreme Court Paid by: HOBBS & OLSON Receipt number: 0001704 Dated: 6/2/2011 Amount: \$101.00 (Check) For: Grazer, Allen F. (plaintiff)	David C. Nye
6/3/2011	CLCERT	HAMPTON	Clerk's Certificate of Appeal	David C. Nye

FILED

05 MAY 12 PM 12:36

FRANKLIN COUNTY CLERK

[Signature]
CLERK

MARGARET H. OLSON (ID BAR #04680)
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525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,
v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,
Defendants.

COMPLAINT

Case No. CV 2005-183

Judge Harding

Plaintiff hereby complains of Defendants as follows:

1. This is an action under the Uniform Fraudulent Transfer Act, Title 55, Chapter 9 of the Idaho Code. In anticipation of judgment, Defendants Gordon A. and Linda G. Jones formed a limited liability company and transferred real property located in Franklin County, Idaho to that LLC. This action seeks to

COMPLAINT

avoid the transfer, attach the property and enjoin further disposition by Defendants of the Franklin County property or of other property.

PARTIES AND JURISDICTION

2. Plaintiff Allen Grazer is an individual residing in Davis County, State of Utah.

3. Defendants Gordon A. Jones and Linda G. Jones (collectively "Jones") are husband and wife residing in Davis County, State of Utah. Prior to December 28, 2004 Jones owned real property in Franklin County, State of Idaho.

4. Defendant J&J Livestock, LLC is a Utah Limited Liability Company in good standing in the state of Utah. J&J Livestock, LLC owns real property in Franklin County, State of Idaho.

5. Jurisdiction over Defendants is proper under I.C. 5-514c(c).

6. Venue is proper in this county under I.C. 5-401(1).

GENERAL ALLEGATIONS

7. Beginning in 2002, Jones owned over 200 acres of land in Franklin County, Idaho. These parcels are identified as Parcels Nos. 908.00, 908.01 and 915.00 with the legal description:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3 RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

(hereinafter "the Franklin County property").

8. Commencing in 1993 Jones, as general contractor, built a home for Grazer in Davis County, Utah.

9. On November 1, 2002 Jones initiated litigation against Grazer seeking to collect approximately \$17,000 of unpaid invoices. Grazer counterclaimed alleging construction defects, negligence and breaches of contract and warranty. This action is known as *Gordon Jones and Richard Barney v. Allen Grazer*,

Second District Court, Davis County, Farmington Department,
State of Utah, Case No. 020700570 CN ("the civil case").

10. The parties commenced the discovery phase of the civil case. In late 2004 Grazer and his experts began to discuss significant construction defects in the home, and began advising counsel for Gordon Jones of the severity of these defects.

11. On December 15, 2004, the Judge in the civil case sent a notice of trial, scheduling the matter for trial on April 26-29, 2005.

12. On December 22, 2004 Jones transferred, by quit claim deed, the Franklin County property to J&J Livestock, LLC. See Exhibit "A" ("the quit claim deed"). The deed was recorded on December 27, 2004.

13. J&J Livestock, LLC was formed in the state of Utah on December 28, 2004.

14. On April 26-29, 2005 Judge Alphin of the Second District Court in Utah heard the civil case. On April 26, 2005 Judge Alphin dismissed the claims brought by Jones and ruled in favor of Grazer on Jones' claims. On April 29, 2005 Judge Alphin declared his preliminary intention to award judgment in favor of Grazer and against Jones on Grazer's counterclaim. That

judgment has not yet been entered, pending arguments by counsel respecting the amount of damages to be awarded.

FIRST CLAIM FOR RELIEF
(Declaratory Judgment)

15. Grazer realleges and incorporates by reference paragraphs 1 - 14 above.

16. The quit claim deed from Jones to J&J Livestock, LLC was recorded on December 27, 2004.

17. J&J Livestock, LLC did not exist until December 28, 2004. See Exhibit "A."

18. The quit claim deed, which purports to transfer all right, title and interest in the Franklin County property is void ab initio.

19. This court has the power under the Uniform Declaratory Judgment Act, I.C. 10-1201 *et seq.* to declare the deed void and to declare title to the Franklin County property remains in Jones, grantors under the quit claim deed.

SECOND CLAIM FOR RELIEF
(Uniform Fraudulent Transfer Act)

20. Grazer realleges and incorporates by reference paragraphs 1 - 19 above.

21. As manager, member and registered agent, Jones materially controls, and at all times material hereto has controlled, J&J Livestock, LLC.

22. J&J Livestock, LLC was formed for the purpose of holding title to the Franklin County property.

23. Jones' quit claim deed to J&J Livestock, LLC was made at a time in discovery when Jones became aware of the extent of his potential and likely liability to Grazer.

24. Jones transferred the Franklin County property to J&J Livestock, LLC with actual intent to hinder, delay and defraud Grazer in the collection of a judgment.

25. At the time of the quit claim deed, Jones had received Grazer's expert's report, was facing a trial date on Grazer's claims and believed or reasonably should have believed that a judgment was imminent.

26. On information and belief, Jones did not receive a reasonably equivalent value in exchange for the transfer to J&J Livestock, LLC.

27. Grazer is entitled to an avoidance of the transfer to the extent necessary to satisfy his judgment.

28. This Court should attach the Franklin County property pursuant to I.C. 55-916(b).

29. Defendants and each of them should be enjoined from further disposing of property, real and personal, held in Franklin County, State of Idaho.

WHEREFORE Plaintiff prays for relief as follows:

1. For a declaratory order declaring the quit claim deed void ab initio and vesting title to the Franklin County property in Jones.

2. For judgment avoiding the transfer of the Franklin County property from Jones to J&J Livestock, LLC under the Uniform Fraudulent Transfer Act, I.C. 55-916(a).

3. For a writ of attachment attaching the Franklin County property to satisfy Grazer's judgment against Jones.

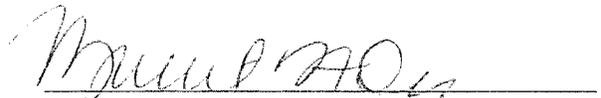
4. For an injunction prohibiting Jones, J&J Livestock, LLC and each of them from further disposing of property, real and personal held in Franklin County, State of Idaho.

5. For attorneys' fees and costs pursuant to (I.C. 12-121, 10-1201) and the parties' contract.

6. For such other and further relief as this Court deems just and equitable.

DATED this 1 day of May, 2005.

HOBBS & OLSON, L.C.



MARGARET H. OLSON, ESQ.

Of Counsel

Attorneys for Plaintiff

Allen F. Grazer

Plaintiff's address:

Allen F. Grazer
1685 South Stone Hollow Court
Bountiful, UT 84010-1069

EXHIBIT "A"

228503

Recorded at the request of
J. on Jones

10:10
a.m. DEC 27 2004 p.m.

Mail Tax Notice To:
Gordon & Linda Jones
235 West 1400 North, Bountiful, UT 84010

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

QUIT-CLAIM DEED

GORDON A. JONES and LINDA G. JONES, Grantors of Davis County, State of Utah, hereby QUIT CLAIM to J&J LIVESTOCK L.L.C. for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of Idaho:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3 RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

TAX SERIAL NO:
ADDRESS:

SUBJECT TO easements, restrictions, covenants and rights of way appearing of record or enforceable in law or equity.

WITNESS the hand of said Grantor(s) this 22 day of December, 2004.

Gordon A. Jones
GORDON A. JONES

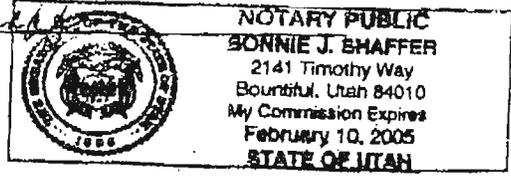
Linda G. Jones
LINDA G. JONES

STATE OF UTAH

COUNTY OF DAVIS

On the 22 day of December, 2004, personally appeared before me GORDON A. JONES and LINDA G. JONES who duly acknowledged they are the signers of the foregoing Deed.

Sonnie J. Bhafter
NOTARY PUBLIC



CL\OFFICE\Gordon & Linda JONES\QCD

FILED

05 MAY 12 PM 12:56

FRANKLIN COUNTY CLERK

Hamis
DEPUTY

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,

v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,
Defendants.

LIS PENDENS

Case No. CV-2005-183

Judge Harding

Notice is given that the above-entitled action was filed
in the above-entitled court on May 12, 2005 by Allen Grazer
against Gordon A. Jones, Linda G. Jones and J&J Livestock, LLC,
defendants. The action affects title to specific real property

LIS PENDENS

11

or the right to possession of specific real property as identified in the Complaint in this action.

The specific real property affected by the action is located in Franklin County, State of Idaho and is described as follows:

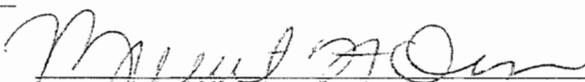
COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

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ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

DATED May 11 2005.


MARGARET H. OLSON, ESQ., Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Allen F. Grazer

FILED
05 JUN 15 AM 11:27
FRANKLIN COUNTY CLERK
KR
DEPUTY

MARGARET H. OLSON (ID BAR #04680)
Of Counsel
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Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,

v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,
Defendants.

APPLICATION FOR
PREJUDGMENT WRIT OF ATTACHMENT

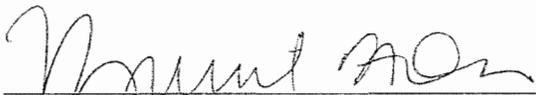
Civil No. CV-2005-183

Judge Don L. Harding

Pursuant to I.C. 55-916(b) and 8-501, et. seq., Plaintiff, Allen F. Grazer, hereby moves the Court for a prejudgment writ of attachment on real property of Defendants Gordon A. Jones and Linda G. Jones and J&J Livestock, LLC. Jones transferred real property to a newly created LLC in December 2004 in an attempt to avoid an imminent judgment in a Utah case. A Memorandum and an Affidavit in support of this Motion are filed and served herewith.

DATED this 13 day of June, 2005.

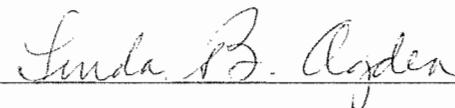
HOBBS & OLSON, L.C.


MARGARET H. OLSON
Attorneys for Plaintiff
Allen F. Grazer

CERTIFICATE OF DELIVERY

I hereby certify that on the 13th day of June,
2005, I caused a true and correct copy of the foregoing to be
mailed, first class, postage prepaid, to the following:

Shawn W. Potter
BABCOCK, SCOTT & BABCOCK
57 West South Temple, Suite 800
Salt Lake City, UT 84101


Linda B. Ogden

FILED

03 JUN 15 AM 11:27

FRANKLIN COUNTY CLERK

142
DEPUTY

MARGARET H. OLSON (ID BAR #04680)
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Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,

v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,
Defendants.

MEMORANDUM IN SUPPORT OF
APPLICATION FOR
PREJUDGMENT WRIT OF ATTACHMENT

Civil No. CV-2005-183

Judge Don L. Harding

Plaintiff, Allen Grazer ("Grazer"), by and through counsel of record, hereby submits his Memorandum in Support of Motion for Injunctive Relief and Prejudgment Writ of Attachment pursuant to I.C. 55-916(b) and 8-501, et. seq.

INTRODUCTION

Defendant Gordon A. Jones ("Jones") is transferring and concealing assets in an attempt to avoid collection of the

judgment in a Utah case. Grazer seeks a prejudgment writ attaching Jones' real property in Idaho.

STATEMENT OF FACTS

1. As of November 21, 2002, Jones owned over 200 acres of land in Franklin County, Idaho. These parcels are identified as Parcel Nos. 908.00, 908.01, and 915.00 with the following legal description:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

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ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 26 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

See Exhibit "A" ("the Franklin County property").

2. Beginning in 2002, Plaintiff Grazer and Defendant Gordon A. Jones were in litigation known as Gordon Jones and Richard Barney v. Allen Grazer; Second Judicial District Court Davis County, Farmington Department, Case No. 020700570 CN before Judge Michael G. Allphin

3. In late 2004 Grazer and his experts began to discuss significant construction defects in the home, and began advising counsel for Jones of the severity of these defects. Damages were estimated to be at least \$2.5 Million.

4. On November 30, 2004, a trial date for April 2005 was set by the Court.

5. On December 22, 2004 Jones transferred, by quit claim deed, the Franklin County property to J&J Livestock, LLC. See Exhibit "B" ("the quit claim deed"). The deed was recorded on December 27, 2004.

6. J&J Livestock, LLC was formed in the state of Utah on December 28, 2004. Gordon A. Jones is a member, manager, and registered agent of J&J Livestock, LLC. See Exhibit "C."

7. Upon discovery of the facts in paragraphs 1, 5, and 6 above, Grazer filed a Lis Pendens and Uniform Fraudulent Transfer action in this Court.

8. After filing this action, J&J Livestock, LLC was registered in the State of Idaho on May 23, 2005. Mr. Jones' son, Jason Jones, is the registered agent in Idaho for the company. See Exhibit "D."

9. Jones has sworn under oath that "if necessary" he is willing to "stipulate and agree that my interest in the Apartment Building, **the Idaho Property** owned by J&J Livestock, and the West Bountiful Property is subject to levy in the event the Court establishes an obligation." Affidavit of Gordon Jones, dated June 1, 2005, paragraph 32. (Emphasis Added.)¹

ARGUMENT

A. PREJUDGMENT WRIT OF ATTACHMENT

Under I.C. 55-916(b), all of the requirements for a prejudgment writ of attachment are all met in this case. This writ is sought for the purpose of preventing dissipation of assets and not for the purpose of hindering, delaying, or defrauding any other creditor. I.C. 8-503(3); Affidavit of Allen F. Grazer, 2. Mr. Jones and the transferees in this case

¹ Immediately after learning that the Judge in the Utah case declared his preliminary intention to award judgment in favor of Grazer and against Jones and Barney on Grazer's counterclaim, Jones and Barney transferred their interest in a Utah Apartment Building to their wives. In addition, they transferred whatever remaining interest they had in their homes and "the West Bountiful Property" to their wives.

have stipulated to a Writ of Attachment on the Idaho Property. A substantial likelihood exists that Grazer will prevail on the merits of the Utah case as indicated by the Utah Court at the close of the evidence on April 29, 2005. I.C. 8-503(2); Affidavit of Allen F. Grazer, 9. Mr. Grazer's claim for damages is in excess of \$2,000,000.00 in the Utah Case; however, the matter is still under advisement before the Utah Court. Affidavit of Allen F. Grazer, 10. Payment of the expected judgment has not been secured by a mortgage, deed or trust, security interest or lien upon real or personal property. I.C. 8-503(1); Affidavit of Allen F. Grazer, 13.

Jones is attempting to assign, dispose of, or conceal property with the intent to defraud creditors. After learning of the extent of his personal liability in this case in November 2004 and immediately after the Court set the trial in this case, Jones transferred his Idaho ranch (and water rights) to a newly-formed LLC over which he has maintained control. See Exhibits "B" and "C." A complaint under the Uniform Fraudulent Transfer Act and a Lis Pendens have been filed with this Court.

Similarly, a complaint under the Uniform Fraudulent Transfer Act and Lis Pendens have been filed with a court in

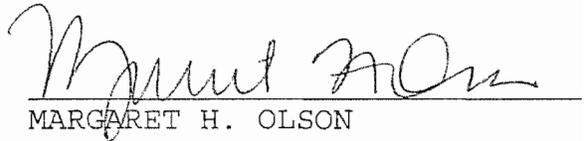
Utah for transfers of his property in Utah. See Exhibits "E" and "F."

CONCLUSION

Based upon the Application and Affidavit of Allen Grazer and the Stipulation of the parties to attaching the Idaho ranch without security by Plaintiff, an immediate Prejudgment Writ of Attachment should be issued, no security being required by Plaintiff.

DATED this 13 day of June, 2005.

HOBBS & OLSON, L.C.



MARGARET H. OLSON
Attorneys for Plaintiff
Allen F. Grazer

CERTIFICATE OF DELIVERY

I hereby certify that on the 13th day of June,
2005, I caused a true and correct copy of the foregoing to be
mailed, first class, postage prepaid, to the following:

Shawn W. Potter, Esq.
BABCOCK, SCOTT & BABCOCK
57 West South Temple, Suite 800
Salt Lake City, UT 84101

Linda B. Ogden

EXHIBIT "A"

219428 1-2

Recorded at the request of
Steven R Fuller

WARRANTY DEED

11:20
~~AM~~ NOV 21 2002 ~~PM~~

PR15004
FOR VALUE RECEIVED

V. ELLIOTT LARSEN, RECORDER
By Ruth K. Rowling Deputy
FRANKLIN COUNTY, IDAHO

BERTIE WILLIAM WINWARD, III, and ELDA B. WINWARD, Grantors,

do hereby grant, bargain, sell and convey unto

GORDON A. JONES and LINDA G. JONES, husband and wife,

whose current address is: 235 West 1400 North, Bountiful, UT 84010
the Grantees, the following described premises in Franklin County, Idaho to wit:

Commencing at a point 53-3/4 rods North of the Southeast corner of the Southwest Quarter of Section 35, Township 14 South, Range 38 East of the Boise Meridian, Franklin County, Idaho, and running thence West 240 rods, thence North 53-3/4 rods, thence East 240 rods; thence South 53-3/4 rods to the Place of Beginning:

EXCEPTING and reserving a right-of-way for any and all irrigation ditches and canals, and public roads now existing or in use upon and across said premises, and excepting and reserving therefrom a strip of land 3 rods wide along the East side of the above-described land.

ALSO, the South half of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 34, Township 14 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

TOGETHER WITH 26 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: November 8, 2002.

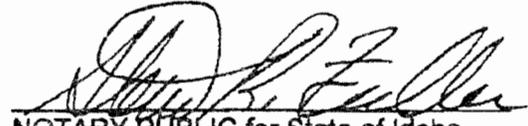
Bertie William Winward III
BERTIE WILLIAM WINWARD, III

Elde B. Winward
ELDA B. WINWARD

219428 2-2

STATE OF IDAHO)
)
County of Franklin)

On this 8th day of November, 2002, before me, the undersigned a Notary Public in and for said State, personally appeared **BERTIE WILLIAM WINWARD, III** and **ELDA B. WINWARD**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Exp.: 2/19/05

STEVEN R. FULLER
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT "B"

228503

Recorded at the request of

Jason Jones

10:10 a.m. DEC 27 2004 p.m.

Mail Tax Notice To:
Gordon & Linda Jones
235 West 1400 North, Bountiful, UT 84010

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

QUIT-CLAIM DEED

GORDON A. JONES and LINDA G. JONES, Grantors of Davis County, State of Utah, hereby QUIT CLAIM to J&J LIVESTOCK L.L.C. for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of Idaho:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3 RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

TAX SERIAL NO:
ADDRESS:

SUBJECT TO easements, restrictions, covenants and rights of way appearing of record or enforceable in law or equity.

WITNESS the hand of said Grantor(s) this 22 day of December, 2004.

Gordon A. Jones
GORDON A. JONES
Linda G. Jones
LINDA G. JONES

STATE OF UTAH
COUNTY OF DAVIS

On the 22 day of December, 2004, personally appeared before me GORDON A. JONES and LINDA G. JONES who duly acknowledged they are the signers of the foregoing Deed.

Dominic S. [Signature]
NOTARY PUBLIC

NOTARY PUBLIC
SONNIE J. BHAFFER
2141 Timothy Way
Bountiful, Utah 84010
My Commission Expires
February 10, 2005
STATE OF UTAH

C:\OFFICE\Users\Gordon\JONESQCD

EXHIBIT "C"

RECEIVED

DEC 28 2004

Utah Div. Of Corp. & Comm. Code

ARTICLES OF ORGANIZATION

OF

J&J LIVESTOCK, LLC

State of Utah
Department of Commerce
Division of Corporations and Commercial Code
I hereby certified that the foregoing has been filed
And approved on this 28 day of Dec 20 04
In the office of this Division and hereby issued
this Certificate thereof.
Examiner MTV Date 1/11/2005



Kathy Berg
Kathy Berg
Division Director

WE THE UNDERSIGNED natural persons over the age of 18 years, acting as organizers, hereby establish a limited liability company pursuant to the *Utah Limited Liability Company Act* (§48-2c-101, et seq.) and adopt the following Articles of Organization for J&J LIVESTOCK, LLC, a Utah limited liability company.

ARTICLE I

NAME OF LIMITED LIABILITY COMPANY

The name of the limited liability company herein formed shall be

J&J LIVESTOCK, LLC

ARTICLE II

DURATION

The period of duration shall be for a period of ninety-nine (99) years.

ARTICLE III

PURPOSES OF THE COMPANY

The principal purposes of the Company shall be:

A. To acquire farm properties and other real estate, by purchase, lease or otherwise, to improve and develop the same, and thereon to plant, sow, cultivate and harvest grains, hay, forage, vegetables, fruit, flowers and all kinds of farm produce and products of the soil.

B. To breed, raise, buy, pasture, prepare for market, exhibit, sell, and deal in livestock of all kinds.

Date: 12/28/2004
Receipt Number: 1334244
Amount Paid: \$52.00

12-28-04A10:30 RCVD

W.A.E.

5800703

28

C. To engage in dairying and the poultry, pet stock, and market gardening business.

D. In general, to conduct the business of farmers, fruit growers, dairymen, and stock raisers and to do everything incidental or conducive to the full accomplishment of the foregoing objects.

E. To carry on the operation and conduct business in any state.

F. To perform any and other lawful business within the State of Utah and the State of Idaho.

ARTICLE IV

REGISTERED OFFICE AND AGENT

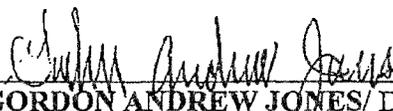
The address of the principal place of business and initial registered office of the limited liability company is:

**235 WEST 1400 NORTH
BOUNTIFUL, UT 84010**

The name of its initial registered agent at such address is:

GORDON ANDREW JONES

The undersigned, **GORDON ANDREW JONES**, hereby agrees to act as registered agent of the above-named limited liability company and perform all of the duties and responsibilities as required by a registered agent pursuant to the statutes of the State of Utah.


GORDON ANDREW JONES / Date: Oct. 19, 2004

The Director of the Division of the Department of Commercial Code and Corporations is appointed the agent of the Company for service of process if the agent has resigned, if the agent's

authority has been revoked or if the agent cannot be found or served with the exercise of reasonable diligence.

ARTICLE V

DESIGNATED OFFICE

The address of the designated office of the Company shall be as follows:

**235 WEST 1400 NORTH
BOUNTIFUL, UT 84010**

ARTICLE VI

MANAGER

The limited liability company is to be managed by two managers.

The names and street addresses of the Managers who are to serve as Managers until the first meeting of members are:

GORDON ANDREW JONES	235 WEST 1400 NORTH BOUNTIFUL, UT 84010
JASON JONES	235 WEST 1400 NORTH BOUNTIFUL, UT 84010

ARTICLE VII

ORGANIZERS

The names and addresses of the organizers of the Limited Liability Company are as follows:

GORDON ANDREW JONES	235 WEST 1400 NORTH BOUNTIFUL, UT 84010
----------------------------	--

ARTICLE VIII

OPERATIONS

The company shall be governed by a written operating agreement, the terms of which shall supplement the provisions of Utah law.

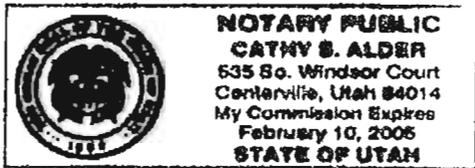
THESE ARTICLES OF ORGANIZATION are dated this 19 day of October, 2004.

Gordon Andrew Jones
GORDON ANDREW JONES, Manager

STATE OF UTAH :
: ss :
COUNTY OF DAVIS :

On the 19 day of October, 2004, personally appeared before me **GORDON ANDREW JONES** who being by me first duly sworn severally declared that he is the person who signed the foregoing document as organizer of the limited liability company and the statements contained therein are true and correct to the best of his knowledge, information and belief.

Cathy S. Alder
NOTARY PUBLIC



C:\OFFICE\Jones\Gordon\U&J,LLC.AOO.frm

EXHIBIT "D"

253



APPLICATION FOR REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE

2005 MAY 23 AM 8:50

STATE OF IDAHO

1. The name of the limited liability company is:

J & J LIVESTOCK, LLC

2. If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is:

N/A

3. The jurisdiction under whose laws the limited liability company is organized is: UTAH
and the date of its formation was: 12/28/04

4. The name and address of the registered agent in Idaho is:

JASON JONES, 3369 North Westside Highway, Clifton, Idaho 83228

5. The address of the limited liability company's office in the jurisdiction under whose laws it is organized is:

235 West 1400 North, Bountiful, Utah 84010

6. The address of the limited liability company's principal office, if other than the address in #5 above, is:

235 West 1400 North, Bountiful, Utah 84010

7. The address to which correspondence should be addressed is:

235 West 1400 North, Bountiful, Utah 84010

8. Signature of a manager, if any, or a member if there are no managers.

Signature [Handwritten Signature]

Typed Name GORDON ANDREW JONES

Manager Member

Secretary of State use only

Vertical text on the right side of the form, likely a filing or processing stamp.

IDAHO SECRETARY OF STATE
25/23/2005 05:00
CL 177 CT: 18961 PL 6125
I 0 100.00 = 100.00 NEWFILLIC 0 2

W 39676

EXHIBIT "E"

LINCOLN W. HOBBS, ESQ. (4848)
MARGARET H. OLSON, ESQ. (6296)
TAMARA K. PRINCE, ESQ. (5224)
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SECOND JUDICIAL DISTRICT COURT OF DAVIS COUNTY
BOUNTIFUL
~~HARRINGTON~~ DEPARTMENT, STATE OF UTAH

ALLEN F. GRAZER,

Plaintiff,

v.

GORDON A. JONES and LINDA G. JONES,
husband and wife; RICHARD H. BARNEY
and RENAE CARNON BARNEY, husband
and wife; THE LINDA G. JONES FAMILY
PARTNERSHIP; and JOHN DOES 1-10,

Defendants.

COMPLAINT

Civil No. 050800665 MI

Judge Glen R. Dawson

Plaintiff hereby complains of Defendants as follows:

1. This is an action under the Uniform Fraudulent Transfer Act, Title 26, Chapter 5 of the Utah Code. In anticipation of judgment, Defendants Gordon A. Jones and Richard H. Barney transferred real property located in Davis County, Utah, to their wives and to a "family partnership". This action seeks to avoid the transfer, attach the property, and enjoin further disposition by Defendants of the Davis County property or of other property.

PARTIES AND JURISDICTION

2. Plaintiff Allen F. Grazer is an individual residing in Davis County, State of Utah.
3. Defendants Gordon A. Jones and Linda G. Jones are husband and wife residing in Davis County, State of Utah.
4. Defendants Richard H. Barney and Renae Carnon Barney are husband and wife residing in Davis County, State of Utah.
5. On information and belief, Defendant Linda G. Jones Family Partnership is a Utah entity; however, no registration exists with the Utah Department of Commerce. On information and belief Linda G. Jones is a partner of Linda G. Jones Family Partnership.
6. Jurisdiction over Defendants is proper under Utah Code Ann. § 78-3-4 (2000).
7. Venue is proper in this county under Utah Code Ann. § 78-13-1 (1953).

GENERAL ALLEGATIONS

8. Beginning in August 24, 2000, Gordon A. Jones and Richard H. Barney owned an Apartment Building in Davis County, Utah. The real property is identified as Parcel No. 07-031-0075 with the following legal description:

BEGINNING AT A POINT 82.50 FEET WEST ALONG THE NORTH LINE OF A STREET FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 12, PLAT "A", FARMINGTON TOWNSITE SURVEY, IN THE CITY OF FARMINGTON, THENCE WEST 32.5 FEET; THENCE NORTH 00°04'38" WEST 65.00 FEET; THENCE NORTH 45°02'19" WEST 42.46 FEET; THENCE WEST 85.00 FEET TO THE WEST LINE OF PROPERTY CONVEYED IN WARRANTY DEED IN BOOK 984 AT PAGE 838 IN THE RECORDS OF DAVIS COUNTY, UTAH; THENCE NORTH 00°04'38" WEST 153.86 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 2 OF SAID BLOCK 12; THENCE NORTH 89°59'37" EAST 263.00 FEET ALONG SAID NORTH LINE OF LOT 2 TO THE WEST LINE OF A STREET; THENCE SOUTH 00°04'38" EAST

156.00 FEET ALONG SAID STREET; THENCE WEST 115.00 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF OF SAID LOT 1; THENCE SOUTH 00°04'38" EAST 92.89 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 07-031-0075

SUBJECT TO: County and/or City Taxes not delinquent, Bonds and/or Special Assessments not delinquent and Covenants, Conditions, Restrictions, Rights-of-Way, Easements, and Reservations now of Record.

(hereinafter "the Apartment Building").

9. Upon information and belief, by August of 2001, Gordon A. Jones, Linda G. Jones, and Richard H. Barney owned real property in Davis County, Utah. The real property is identified as Parcel Nos. 06-027-0007 and 06-027-0008.

10. Upon information and belief, by August of 2001, Gordon A. Jones Construction owned real property in Davis County, Utah. The real property is located at 1440 North 1445 West, Bountiful City in Davis County, Utah with the following legal description:

A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 1071.04 FEET AND EAST 305.30 FEET FROM THE CENTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH OD21M31S WEST 501.36 FEET; THENCE EAST 100.00 FEET; THENCE SOUTH OD21M31S EAST 501.36 FEET TO THE NORTH LINE OF A 50 FOOT RIGHT OF WAY; THENCE WEST 100.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO THE FOLLOWING DESCRIBED REIGHT OF WAY: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF HOWARD STREET AND THE NORTH LINE OF LELAND M. ARGYLE PROPERTY AT A POINT 1072.50 FEET SOUTH AND 295.675

FEET WEST FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, AND RUNNING THENCE WEST 2569.5 FEET; THENCE NORTH 50 FEET; THENCE EAST 2569.50 FEET; THENCE SOUTH 50 FEET TO THE POINT OF BEGINNING.

ALSO, TOGETHER WITH AND SUBJECT TO A RIGHT OF WAY FROM THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PROPERTY RUNNING SOUTH OVER THE LAND RESERVED FOR ROAD, TO THE DAVIS COUNTY SEWAGE DISPOSAL ROAD.

11. Upon information and belief, by August of 2001, Gordon A. Jones dba Gordon A. Jones Construction owned real property in Davis County, Utah. The real property is identified as Parcel Nos. 06-027-0014 and 06-027-0015 with the following legal description:

PARCEL 1:

A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SOUTH 1071.04 FEET AND EAST 33.00 FEET FROM THE CENTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 501.36 FEET; THENCE EAST 169.17 FEET; THENCE SOUTH 0°21'31" EAST 501.36 FEET TO THE NORTH LINE OF A 500 FOOT RIGHT OF WAY; THENCE WEST 172.30 FEET TO THE POINT OF THE BEGINNING.

TOGETHER WITH AND SUBJECT TO THE FOLLOWING DESCRIBED RIGHT OF WAY: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF HOWARD STREET AND THE NORTH LINE OF LELAND M. ARGYLE PROPERTY AT A POINT 1072.50 FEET SOUTH AND 295.675 FEET WEST FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, AND RUNNING THENCE WEST 2569.5 FEET; THENCE NORTH 50 FEET; THENCE EAST 2569.40 FEET; THENCE SOUTH 50 FEET TO THE POINT OF BEGINNING.

ALSO, TOGETHER WITH AND SUBJECT TO A RIGHT OF WAY FROM THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PROPERTY, RUNNING SOUTH OVER THE LAND RESERVED FOR ROAD, TO THE DAVIS COUNTY SEWAGE DISPOSAL ROAD (06-027-0014).

PARCEL 2:

A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SOUTH 1071.04 FEET AND EAST 205.30 FEET FROM THE CENTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 0°21'31" WEST 501.36 FEET; THENCE EAST 100.00 FEET; THENCE SOUTH 0°21'31" EAST 501.36 FEET TO THE NORTH LINE OF A 50 FOOT RIGHT OF WAY; THENCE WEST 100.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO THE FOLLOWING DESCRIBED RIGHT OF WAY: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF HOWARD STREET AND THE NORTH LINE OF LELAND M. ARGYLE PROPERTY AT A POINT 1072.50 FEET SOUTH AND 295.675 FEET WEST FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, AND RUNNING THENCE WEST 2569.5 FEET; THENCE NORTH 50 FEET; THENCE EAST 2569.50 FEET; THENCE SOUTH 50 FEET TO THE POINT OF BEGINNING.

ALSO, TOGETHER WITH AND SUBJECT TO A RIGHT OF WAY FROM THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PROPERTY, RUNNING SOUTH OVER THE LAND RESERVED FOR ROAD, TO THE DAVIS COUNTY SEWAGE DISPOSAL ROAD (06-027-0015).

SUBJECT TO EASEMENTS, RIGHTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY, COVENANTS, TAXES AND ASSESSMENTS APPEARING OF RECORD OR ENFORCEABLE IN LAW OR EQUITY.

(collectively the real property in paragraphs 9, 10, and 11 of this Complaint are hereinafter the "Condemned Parcels").

12. Commencing in 1993 Gordon A. Jones and Richard H. Barney, as general contractor, built a home for Grazer in Davis County, Utah.

13. On November 1, 2002, Jones and Barney initiated litigation against Grazer seeking to collect approximately \$42,000.00 of unpaid invoices. Grazer counterclaimed alleging

construction defects, negligence, and breaches of contract and warranty. This action is known as *Gordon Jones and Richard Barney v. Allen Grazer*, Second District Court, Davis County, Farmington Department, State of Utah, Case No. 020700570 CN (“the Civil Case”).

14. On or about March 3, 2005, a Final Order of Condemnation was recorded with the Davis County Recorder against the Condemned Parcels, as Entry No. 2055978 in Book 3738 at Page 296 of Official Records, and Gordon A. Jones Construction, Gordon Jones Construction, Gordon A. Jones, Linda G. Jones, and Richard H. Barney received \$178,000.00 on or about February 11, 2005 as payment on the judgment. The Final Order of Condemnation was entered in an action known as *Utah Department of Transportation v. Gordon A. Jones Construction*, Second District Court, Davis County, Farmington Department, State of Utah, Case No. 010700265 (“the Condemnation Case”).

15. Shortly after receiving the proceeds from the Condemnation Case, on or about March 8, 2005, the Trust Deed Note to Barnes Banking Company was paid in full on the Apartment Building and a Deed of Reconveyance was recorded with the Davis County Recorder on or about March 18, 2005 as Entry No. 2059773 in Book 3748 at Page 670 of Official Records.

16. Upon information and belief, the proceeds from the Condemnation Case, in the condemnation of the Condemned Parcels, were used to pay off the Trust Deed Note on the Apartment Building.

17. On April 26-29, 2005 Judge Allphin of the Second District Court in Utah heard the Civil Case. On April 26, 2005 Judge Allphin dismissed the claims brought by Jones and Barney and ruled in favor of Grazer on Jones’ and Barney’s claims. On April 29, 2005 Judge

Allphin declared his preliminary intention to award judgment in favor of Grazer and against Jones and Barney on Grazer's counterclaim. That judgment has not yet been entered, pending arguments by counsel respecting the amount of damages to be awarded.

CLAIM FOR RELIEF

(Fraudulent Transfer)

18. Grazer realleges and incorporates by reference paragraphs 1 through 17 above.

19. Gordon A. Jones and Richard H. Barney executed a quit claim deed, on or about May 6, 2005, transferring the Apartment Building to their wives Linda G. Jones and Renae Carnon Barney within days of Judge Allphin's announcement of his intended verdict in the Civil Case.

20. At the same time, Gordon A. Jones' wife, Linda G. Jones, quit claimed her interest in the Apartment Building to the Linda G. Jones Family Partnership.

21. Gordon A. Jones and Richard H. Barney transferred the Apartment Building to their wives, and Linda G. Jones transferred the Apartment Building to her family partnership, with actual intent to hinder, delay, and defraud Grazer in the collection of a judgment.

22. Linda G. Jones and Renae Carnon Barney are definitionally "insiders" for purposes of the Uniform Fraudulent Transfer Act, Utah Code Ann. § 25-6-2(7)(a)(i). Similarly, the Linda G. Jones Family Partnership is an insider under Utah Code Ann. § 25-6-2(7)(a)(iii).

23. At the time of the quit claim deeds, Defendants had actual knowledge of Judge Allphin's intended verdict and believed or reasonably should have believed that a judgment was imminent.

24. On information and belief, Linda G. Jones, Renae Carnon Barney, and the Linda G. Jones Family Partnership did not receive a reasonably equivalent value in exchange for the transfer to them.

25. Grazer is entitled to an avoidance of the transfer to the extent necessary to satisfy his judgment.

26. This Court should attach the Apartment Building pursuant to Utah Code Ann. § 25-6-8(b).

27. Defendants and each of them should be enjoined from further disposing of property, real and personal, held in Davis County, State of Utah, or elsewhere.

28. Upon information and belief, pursuant to the provisions of the parties' contract, Mr. Grazer is entitled to reasonable attorney's fees and costs in pursuing this action.

29. The Defendants' fraudulent transfers were not in good faith. Pursuant to Utah Code Ann. § 78-27-56, Mr. Grazer is entitled to reasonable attorney's fees to be awarded for the use and benefit of his counsel.

WHEREFORE Plaintiff prays for relief as follows:

A. For judgment avoiding the transfer of the Apartment Building from Gordon A. Jones and Richard H. Barney to their wives and to the Linda G. Jones Family Partnership under the Uniform Fraudulent Transfer Act, Utah Code Ann. § 25-6-8(1)(a)(1988).

B. For a writ of attachment attaching the Apartment Building to satisfy Grazer's judgment against Gordon A. Jones and Richard H. Barney.

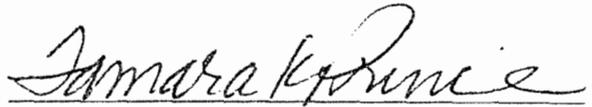
C. For an injunction prohibiting Gordon A. Jones and Richard H. Barney from further disposing of property, real and personal, held in Davis County, State of Utah, and elsewhere.

D. For attorneys' fees and costs.

E. For such other and further relief as this Court deems just and equitable.

DATED this 18th day of May, 2005.

HOBBS & OLSON, L.C.



LINCOLN W. HOBBS

MARGARET H. OLSON

TAMARA K. PRINCE

Attorneys for Plaintiff Allen F. Grazer

Plaintiff's address:

ALLEN F. GRAZER
1685 South Stone Hollow Court
Bountiful, UT 84010-1069

EXHIBIT "F"

lots 1, 2-Farm-A

WHEN RECORDED MAIL TO:

LINCOLN W. HOBBS, ESQ. (4848)
MARGARET H. OLSON, ESQ. (6296)
TAMARA K. PRINCE, ESQ. (5224)
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

E 2074951 B 3792 P 14-15
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
05/20/2005 08:00 AM
FEE \$15.00 Pgs: 2
DEP RT REC'D FOR HOBBS & OLSON

Parcel I.D. No. 07-031-0075-

IN THE SECOND JUDICIAL DISTRICT COURT OF DAVIS COUNTY
FARMINGTON DEPARTMENT, STATE OF UTAH

ALLEN F. GRAZER,
Plaintiff,

v.

GORDON A. JONES and LINDA G. JONES,
husband and wife; RICHARD H. BARNEY
and RENAE CARNON BARNEY, husband
and wife; THE LINDA G. JONES FAMILY
PARTNERSHIP; and JOHN DOES 1-10,
Defendants.

LIS PENDENS
(235 West 1400 North, Bountiful, Utah)

Civil No. _____

Judge _____

NOTICE IS HEREBY GIVEN that an action has been commenced in the Second Judicial District Court in and for Davis County, Farmington Department, State of Utah, by the above-named Plaintiff against the above-named Defendants. This action was filed under the Uniform Fraudulent Transfer Act, Title 26, Chapter 5 of the Utah Code. In anticipation of judgment, Defendants Gordon A. Jones and Richard H. Barney transferred real property located in Davis County, Utah, to their wives and to a "family partnership". This action seeks to avoid the trans-

lots 1, 2 - Farm - A

fer, attach the property, and enjoin further disposition by Defendants of the Davis County property or of other property. The premises affected by this suit are situated at 235 West 1400 North, Bountiful, Davis County, Utah, and more particularly described as follows:

BEGINNING AT A POINT 82.50 FEET WEST ALONG THE NORTH LINE OF A STREET FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 12, PLAT "A", FARMINGTON TOWNSITE SURVEY, IN THE CITY OF FARMINGTON. THENCE WEST 32.5 FEET; THENCE NORTH 00°04'38" WEST 65.00 FEET; THENCE NORTH 45°02'19" WEST 42.46 FEET; THENCE WEST 85.00 FEET TO THE WEST LINE OF PROPERTY CONVEYED IN WARRANTY DEED IN BOOK 984 AT PAGE 838 IN THE RECORDS OF DAVIS COUNTY, UTAH; THENCE NORTH 00°04'38" WEST 153.86 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 2 OF SAID BLOCK 12; THENCE NORTH 89°59'37" EAST 263.00 FEET ALONG SAID NORTH LINE OF LOT 2 TO THE WEST LINE OF A STREET; THENCE SOUTH 00°04'38" EAST 156.00 FEET ALONG SAID STREET; THENCE WEST 115.00 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF OF SAID LOT 1; THENCE SOUTH 00°04'38" EAST 92.89 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 07-031-0075 ✓

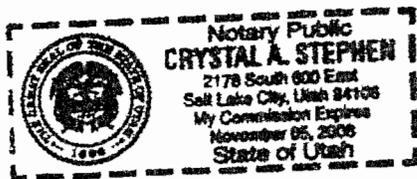
SUBJECT TO: County and/or City Taxes not delinquent, Bonds and/or Special Assessments not delinquent and Covenants, Conditions, Restrictions, Rights-of-Way, Easements, and Reservations now of Record.

DATED this 18th day of May, 2005.

Tamara K Prince
TAMARA K. PRINCE
HOBBS & OLSON, L.C.
Attorneys for Plaintiff

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO before me this 18th day of May, 2005.



Crystal A. Stephen
NOTARY PUBLIC

FILED

05 JUN 23 AM 10:38

FRANKLIN COUNTY CLERK

R Hampton
DEPUTY

MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

<p>ALLEN F. GRAZER, an individual, Plaintiff, v. GORDON A. JONES, an individual; LINDA G. JONES, an individual; J&J LIVESTOCK, LLC, a Utah Limited Liability Company; and John Does 1-10, Defendants.</p>	<p>AFFIDAVIT OF ALLEN F. GRAZER IN SUPPORT OF PREJUDGMENT WRIT OF ATTACHMENT</p> <hr/> <p>Civil No. CV-2005-183 Judge Don L. Harding</p>
---	---

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

Allen Grazer, after being first duly sworn, deposes
and says:

1. I am the Plaintiff in this action.
2. I seek a writ for the purpose of preventing
dissipation of Gordon A. Jones' assets and not for the purpose
of hindering, delaying, or defrauding any other creditor.

3. Upon information and belief, Gordon Jones is a resident of the State of Utah.

4. Exhibit "A" hereto is a warranty deed evidencing Gordon A. Jones' title to real property in Franklin County, Idaho (hereinafter "the Idaho Ranch"). The real property encompasses over 200 acres and the value is yet unascertained.

5. I filed a counterclaim against Mr. Jones in Utah, Gordon Jones and Richard Barney v. Allen Grazer; Allen F. Grazer v. Gordon A. Jones and Richard Barney, Second Judicial District Court of Davis County, Farmington Department, Civil No. 020700570 CN, Judge Michael G. Allphin (the "Utah Case") for defective construction to my home. In late 2004 my experts and I began to discover significant construction defects in the home, and by and through my counsel, began advising counsel for Jones of the severity of these defects.

6. On November 30, 2004, a trial date for April 2005 was set by the Court in the Utah Case.

7. Exhibit "B" hereto is a quit claim deed recorded December 27, 2004 transferring all right, title, and interest in the Idaho Ranch to J&J Livestock, LLC, a Utah Limited Liability Company.

8. Exhibit "C" hereto are records from the Utah Department of Commerce evidencing the formation of J&J Livestock

2 - Affidvit of Allen F. Grazer in Support of Prejudgment Writ of Attachment

LLC on December 28, 2004 and showing Gordon A. Jones as member, manager, and registered agent for that company.

9. A substantial likelihood exists that I will prevail on the merits of the Utah Case as indicated by the Utah Court at the close of the evidence on April 29, 2005.

10. My claim for damages in the Utah Case is in excess of \$2,000,000.00; the matter is still under advisement before the Utah Court. A true and correct copy of Allen Grazer's proposed Findings of Fact and Conclusions of Law in the Utah case are submitted herewith as Exhibit "D."

11. Exhibit "E" hereto are records from the Idaho Secretary of State evidencing the registration of J&J Livestock LLC in the State of Idaho on May 23, 2005 and showing Gordon A. Jones as member, manager, and his son, Jason Jones, as the registered agent for that company in Idaho.

12. J&J Livestock, LLC is ostensible owner of the Idaho Ranch property and its address of record is 235 West 1400 North Bountiful, Utah 84010.

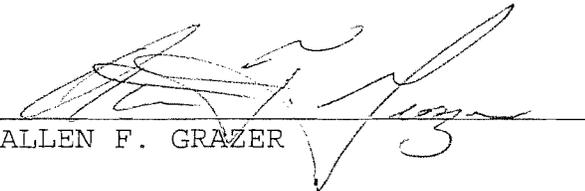
13. Payment of the expected judgment in the Utah Case has not been secured by a mortgage, deed of trust, security interest or lien upon real or personal property.

14. On information and belief, the Idaho Ranch property has not been taken for any tax, assessment, or fine. The Idaho

Ranch property has not been seized under a writ against the property of the plaintiff nor is it exempt from seizure.

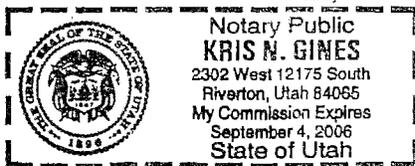
15. The persons, to my knowledge, claiming an interest in the Idaho Ranch property may be: Gordon A. Jones, Linda G. Jones, and J&J Livestock, LLC.

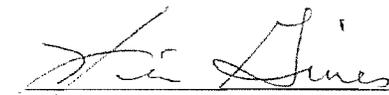
DATED this 15 day of June, 2005.


ALLEN F. GRAZER

SUBSCRIBED AND SWORN TO before me by Allen Grazer, the signer of the foregoing Affidavit, who swore under penalty of perjury that he read the foregoing document, that he has personal knowledge of the matters set forth therein (except for those matters set forth on information and belief, which he believes to be true), and that the document is truthful and the matters stated therein are, to the best of his knowledge, information, and belief, true and correct.

DATED this 15 day of June, 2005.




NOTARY PUBLIC

CERTIFICATE OF DELIVERY

I hereby certify that on the 13th day of June,
2005, I caused a true and correct copy of the foregoing to be
mailed, first class, postage prepaid, to the following:

Shawn W. Potter, Esq.
BABCOCK, SCOTT & BABCOCK
57 West South Temple, Suite 800
Salt Lake City, UT 84101

Linda B. Ogden

FILED

05 JUL -8 AM 10:32

FRANKLIN COUNTY CLERK

L Hampton
DEPUTY

Shawn W. Potter (ISB #6391)
BABCOCK SCOTT & BABCOCK
Washington Federal Plaza
505 East 200 South, Suite 300
Salt Lake City, Utah 84102
Telephone: (801) 531-7000
Facsimile: (801) 531-7060
Attorneys for Defendants

IN THE SIXTH JUDICIAL DISTRICT COURT FOR FRANKLIN COUNTY

STATE OF IDAHO

ALLEN F. GRAZER, an Individual,

Plaintiff,

vs.

GORDON A. JONES, an individual, LINDA
G. JONES, an individual, J&J LIVESTOCK,
LLC, a Utah Limited Liability Company; and
John Does 1-10,

Defendant.

ANSWER

Civil No.: CV-2005-183

Honorable Don L. Harding

COME NOW Defendants, by and through counsel and in Answer to Plaintiff's Complaint hereby admit, deny, and allege as follows:

1. Defendants deny the factual allegations in paragraph 1 of Plaintiff's Complaint.
2. Defendants admit the allegations in paragraph 2 of Plaintiff's complaint.
3. Defendants admit the allegations in paragraph 3 of Plaintiff's complaint.
4. Defendants admit the allegations in paragraph 4 of Plaintiff's complaint.

5. Defendants admit the allegations in paragraph 5 of Plaintiff's complaint.
6. Defendants admit the allegations in paragraph 6 of Plaintiff's complaint.
7. Defendants admit the allegations in paragraph 7 of Plaintiff's complaint.
8. Defendants admit the allegations in paragraph 8 of Plaintiff's complaint.
9. Defendants admit the allegations in paragraph 9 of Plaintiff's complaint.
10. Defendants deny the allegations in paragraph 10 of Plaintiff's complaint.
11. Defendants admit the allegations in paragraph 11 of Plaintiff's complaint.
12. Defendants admit the allegations in paragraph 12 of Plaintiff's complaint.
13. Defendants admit the allegations in paragraph 13 of Plaintiff's complaint.
14. Defendants admit the allegations in paragraph 14 of Plaintiff's complaint.
15. Defendants incorporate their responses to paragraphs 1-14 above.
16. Defendants admit the allegations in paragraph 16 of Plaintiff's complaint.
17. Defendants admit the allegations in paragraph 17 of Plaintiff's complaint.
18. Defendants deny the allegations in paragraph 18 of Plaintiff's complaint.
19. Defendants deny the allegations in paragraph 19 of Plaintiff's complaint.
20. Defendants incorporate their responses to paragraphs 1-19 above.
21. With regard to the allegations in paragraph 21 of Plaintiff's complaint, Defendants admit only that Gordon Jones is a manager, member, and registered agent, and that Linda Jones is a member of J&J Livestock, LLC.
22. Defendants deny the allegations in paragraph 22 of Plaintiff's complaint.

23. With regard to the allegations in paragraph 23 of Plaintiff's complaint, Defendants admit only that the quit claim deed was made December 22, 2004.

24. Defendants deny the allegations in paragraph 24 of Plaintiff's complaint.

25. Defendants deny the allegations in paragraph 25 of Plaintiff's complaint.

26. Defendants deny the allegations in paragraph 26 of Plaintiff's complaint.

27. Defendants deny the allegations in paragraph 27 of Plaintiff's complaint.

28. Defendants deny the allegations in paragraph 28 of Plaintiff's complaint.

29. Defendants deny the allegations in paragraph 29 of Plaintiff's complaint.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint fails to state a claim upon which relief can be granted.
2. Plaintiff's Complaint is barred by the doctrines of waiver, laches, and estoppel.
3. Defendants lack the requisite intent to defraud required by Idaho Code § 55-901.
4. Plaintiff's claim is premature and improper under the circumstances.
5. Defendants reserve the right to add additional affirmative defenses as discovery in this case progresses.

WHEREFORE, Defendants pray for judgment as follows:

- A. That Plaintiff's Complaint be dismissed with prejudice in its entirety that Plaintiff take nothing thereby;
- B. For attorneys fees and costs in defending this action;

C. For such other and further relief as the Court deems just and equitable.

DATED this 30th day of June, 2005.

BABCOCK, SCOTT & BABCOCK



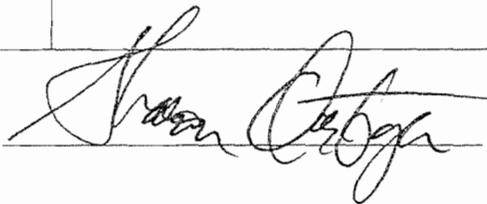
Shawn W. Potter
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of June, 2005, a true and correct copy of the

foregoing document was served by the method indicated below, to the following:

Lincoln W. Hobbs Margaret H. Olson Tamara K. Prince HOBBS & OLSON, L.C. 525 South 300 East Salt Lake City, UT 84111	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile
--	--



FILED

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FRANKLIN COUNTY CLERK


DEPUTY

MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,

Plaintiff,

v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,

Defendants.

**STIPULATION FOR
PREJUDGMENT WRIT OF ATTACHMENT
AND INJUNCTION**

Civil No. CV-2005-183
Judge Don L. Harding

Pursuant to I.C. 55-916(b) and 8-501, et. seq., Allen F. Grazer, Gordon Jones, Linda Jones, and J&J Livestock, LLC, by and through counsel, hereby stipulate to the following:

1. To a Writ of Attachment authorizing the Sheriffs in and for Franklin County, State of Idaho, to attach Gordon A. Jones' interest in over 200 acres of land and water shares in Franklin County, Idaho. These parcels are identified as Parcel Nos. 908.00, 908.01, and 915.00 with the following legal description:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3 RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

SUBJECT TO EASEMENTS, RESTRICTIONS, COVENANTS AND RIGHTS OF WAY APPEARING OF RECORD OR ENFORCEABLE IN LAW OR EQUITY.

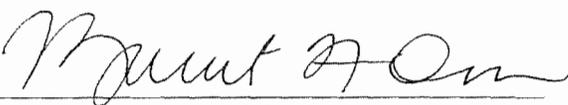
2. No security shall be required of the Plaintiff under I.C. 8-503.

3. The issue of attorneys fees is reserved for a later time.

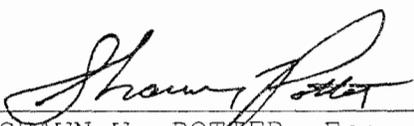
4. Defendants further stipulate that an order may enter enjoining them from further transferring or disposing assets in the State of Idaho.

DATED this 27 day of July, 2005.

HOBBS & OLSON, L.C.


MARGARET H. OLSON
Attorneys for Plaintiff
Allen F. Grazer

DATED this 27th day of July, 2005.


SHAWN W. POTTER, Esq.
(ID Bar #6391)
BABCOCK, SCOTT & BABCOCK
57 West South Temple, 8th Floor
Salt Lake City, UT 84101

Attorneys for Gordon A. Jones and
Linda G. Jones; and J&J Livestock,
LLC

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FRANKLIN COUNTY CLERK

A Hampton
DEPUTY

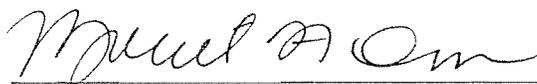
MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

<p>ALLEN F. GRAZER, an individual, Plaintiff, v. GORDON A. JONES, an individual; and RICHARD BARNEY, an individual,</p>	<p>NOTICE OF FILING FOREIGN JUDGMENT</p>
<p>Defendants.</p>	<p>Civil No. CV-2005-183 Judge Don L. Harding</p>

Pursuant to I.C. 10-1303, Plaintiff Allen F. Grazer hereby gives notice by through counsel, Margaret H. Olson, to the Defendants herein of his filing in this matter of the foreign judgment obtained in the Second Judicial District Court of Davis County, Farmington Department, State of Utah more particularly entitled *Gordon Jones and Richard Barney, Plaintiffs v. Allen Grazer*, with the Counterclaim action denoted as *Allen F. Grazer, Counterclaim Plaintiff v. Gordon A. Jones and Richard Barney, Counterclaim Defendants*, Consolidated Civil No. 020700570 CN.

DATED this 29 day of July, 2005.



MARGARET H. OLSON

CERTIFICATE OF DELIVERY

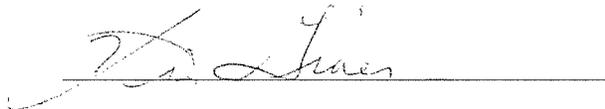
I hereby certify that on the 29 day of July, 2005, I caused a true and correct copy of the foregoing to be mailed, first class, postage prepaid, to the following:

Shawn W. Potter, Esq.
BABCOCK. SCOTT & BABCOCK
505 East 200 South, Suite 300
Salt Lake City, UT 84101
Attorney for Defendants

Gordon A. Jones
235 West 1400 North
Bountiful, Utah 84010
Defendant/Judgment Debtor

Gordon A. Jones
3369 North Westside Highway,
Clifton, Idaho 83228
Defendant/Judgment Debtor

Richard Barney is 131 North
Terrace Drive, Clearfield, Utah
84015.
Defendant/Judgment Debtor



AUG 22 2005

MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,

v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,
Defendants.

**PREJUDGMENT
WRIT OF ATTACHMENT AND
INJUNCTION**

Civil No. CV-2005-183

Judge Don L. Harding

This matter has come before the Court on Plaintiff Grazer's Application for Prejudgment Writ of Attachment. The Court, having received the Stipulation of the parties and considered the Application together with the Memorandum in Support of Application for Prejudgment Writ of Attachment, and the Affidavit of Allen F. Grazer in Support of Prejudgment Writ of Attachment, has determined that the motion should be granted this 28TH day of July 2005 at 1:30 p.m.

Based upon the foregoing and for other good cause shown, IT
IS HEREBY ORDERED:

1. This Writ of Attachment authorizes the Sheriffs in and
for Franklin County, State of Idaho, to attach Gordon Jones'
interest in over 200 acres of land in Franklin County, Idaho and
water shares. These parcels are identified as Parcel Nos.
908.00, 908.01, and 915.00 with the following legal description:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE
SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION
35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE
MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE
WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST
240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF
BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL
IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW
EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND
EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3
RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED
LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE
SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION
34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE
MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 26 SHARES OF THE CAPITAL STOCK OF TWIN
LAKES CANAL COMPANY.

SUBJECT TO EASEMENTS, RESTRICTIONS, COVENANTS AND
RIGHTS OF WAY APPEARING OF RECORD OR ENFORCEABLE IN
LAW OR EQUITY.

2. Per the stipulation of the parties, no security shall be required of the Plaintiff under I.C. 8-503.
3. Defendants are hereby enjoined from further transferring or disposing of assets in the State of Idaho.
4. The issue of attorneys fees is reserved for a later time.

DATED this 22nd day of August, 2005.

BY THE COURT:

Don Z. Harding
JUDGE HARDING
District Court Judge



APPROVED AS TO FORM this 27th day of July, 2005:

BABCOCK, SCOTT & BABCOCK

Shawn W. Potter

Shawn W. Potter, Esq.
Attorneys for Defendants

NOV 22 2005

MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
466 East 500 South
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,

v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,
Defendants.

ORDER TO AMEND COMPLAINT

Civil No. CV-2005-183

Judge Don L. Harding

Based upon Plaintiff Allen F. Grazer's Motion to Amend
Complaint the Memorandum in Support of the Motion to Amend
Complaint filed herein, and good cause appearing therefore,

IT IS HEREBY ORDERED, that Plaintiff be allowed to amend
the Complaint previously filed in this matter in the manner set
forth in the (proposed) Amended Complaint attached to the
Memorandum.

DATED this 22nd day of November, 2005.

BY THE COURT:

Don L. Howley
DISTRICT COURT JUDGE

CERTIFICATE OF DELIVERY

I hereby certify that on the 18th day of November, 2005,
I caused a true and correct copy of the foregoing to be mailed,
first class, postage prepaid, to the following:

Shawn W. Potter, Esq.
TESCH LAW OFFICES
314 Main Street, #200
P.O. Box 3390
Park City, UT 84060-3390
Fax 435-649-2561
Attorney for Defendants

Kent B. Scott, Esq.
BABCOCK, SCOTT & BABCOCK
505 East 200 South, Suite 300
Salt Lake City, UT 84102
Fax No. 531-7060

Carvel R. Shaffer, Esq.
SHAFFER LAW OFFICE, P.C.
Key Bank Building
562 South Main
Bountiful, UT 84010
Fax No. 298-1576

Linda B. Ogden

Gary E. Jubber, A1758
 FABIAN & CLENDENIN,
 A Professional Corporation
 Twelfth Floor
 215 South State Street
 P.O. Box 510210
 Salt Lake City, Utah 84151
 Telephone: (801) 531-8900

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mjr

Attorneys for Gary E. Jubber, Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re)
)
)
 GORDON A. JONES,)
)
 Debtor.)

Bankruptcy No. 06-21277 JAB
 (Chapter 7)

 ALLEN F. GRAZER,)
)
 Plaintiff,)

**NOTICE OF REMOVAL OF CIVIL
 ACTION BY TRUSTEE**

v.)
)
 GORDON A. JONES, an individual; LINDA)
 G. JONES, an individual; J & J LIVESTOCK,)
 LLC, a Utah Limited Liability Company; and)
 JOHN DOES 1-20,)
)
 Defendants.)

Adv. Pro. No. _____
 (Civil No. CV-2005-183, pending in the
 Sixth Judicial District Court,
 Franklin County, State of Idaho)

PLEASE TAKE NOTICE pursuant to 28 U.S.C. § 1452(a) and Bankruptcy Rule 9027, Gary E. Jubber, the duly appointed Chapter 7 Trustee of the above-captioned bankruptcy estate (the "Trustee"), hereby removes to this Court the state court action described below.

1. On May 12, 2005, an action was commenced in the Sixth Judicial District Court of Franklin County, State of Idaho, entitled "*Allen F. Grazer v. Gordon A. Jones, et al.*," and was assigned Case No. CV-2005-183.

2. Gordon A. Jones ("the Debtor") filed a voluntary Chapter 7 petition in the United States Bankruptcy Court for the District of Utah on April 18, 2006 ("Petition Date").

3. This Court has jurisdiction of this civil action under 28 U.S.C. § 157(a), 28 U.S.C. § 157(b)(2)(A) & (O), 28 U.S.C. § 1334(a), and it is, therefore, removable to this Court by the Trustee pursuant to the provisions of 28 U.S.C. § 1452(a) and Bankruptcy Rule 9027.

4. Upon removal, the proceeding will be a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A)(H) and (O).

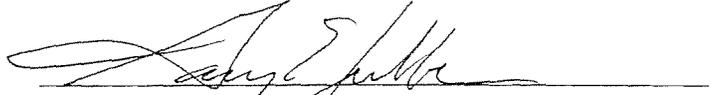
5. The Trustee consents to the entry of final orders and judgment by the Bankruptcy Court.

6. This Notice of Removal is filed within ninety (90) days of the Petition Date and is therefore timely removed pursuant to Rule 9027(a)(2).

7. A copy of the Complaint ("Complaint") filed in Sixth District Court in this matter is attached hereto as Exhibit "A," which is the only pleading currently in the Trustee's possession. The Trustee is in the process of obtaining copies of additional process and pleadings from the clerk of the state court. The Trustee will file the additional documents with this Court upon his receipt.

WHEREFORE, Gary E. Jubber, Chapter 7 Trustee, hereby removes this action from the Sixth Judicial District Court of Franklin County, Idaho, to this Court.

Dated this 17th day of July, 2006.



Gary E. Jubber
FABIAN & CLENDENIN
Attorneys for Gary E. Jubber, Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF REMOVAL OF CIVIL ACTION BY TRUSTEE to be mailed, postage prepaid, this 17th day of July, 2006, to the following:

Lincoln W. Hobbs
Margaret H. Olson
Tamara K. Prince
Hobbs & Olson
466 East 500 South, Suite 300
Salt Lake City, UT 84111

Clerk of Court
Sixth Judicial District Court
of Franklin County, Idaho
Franklin County Courthouse
39 West Oneida, Room #2
Preston, ID 83276

A handwritten signature in black ink, appearing to read "Darlene Park", is written over a horizontal line. The signature is highly stylized and cursive.

Exhibit "A"

FILED

05 MAY 12 PM 12:36

FRANKLIN COUNTY CLERK

DEPUTY

MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,
v.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual;
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,
Defendants.

COMPLAINT

Case No. CV-2005-183
Judge Harding

Plaintiff hereby complains of Defendants as follows:

1. This is an action under the Uniform Fraudulent Transfer Act, Title 55, Chapter 9 of the Idaho Code. In anticipation of judgment, Defendants Gordon A. and Linda G. Jones formed a limited liability company and transferred real property located in Franklin County, Idaho to that LLC. This action seeks to

avoid the transfer, attach the property and enjoin further disposition by Defendants of the Franklin County property or of other property.

PARTIES AND JURISDICTION

2. Plaintiff Allen Grazer is an individual residing in Davis County, State of Utah.

3. Defendants Gordon A. Jones and Linda G. Jones (collectively "Jones") are husband and wife residing in Davis County, State of Utah. Prior to December 28, 2004 Jones owned real property in Franklin County, State of Idaho.

4. Defendant J&J Livestock, LLC is a Utah Limited Liability Company in good standing in the state of Utah. J&J Livestock, LLC owns real property in Franklin County, State of Idaho.

5. Jurisdiction over Defendants is proper under I.C. 5-514c(c).

6. Venue is proper in this county under I.C. 5-401(1).

GENERAL ALLEGATIONS

7. Beginning in 2002, Jones owned over 200 acres of land in Franklin County, Idaho. These parcels are identified as Parcels Nos. 908.00, 908.01 and 915.00 with the legal description:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3 RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

(hereinafter "the Franklin County property").

8. Commencing in 1993 Jones, as general contractor, built a home for Grazer in Davis County, Utah.

9. On November 1, 2002 Jones initiated litigation against Grazer seeking to collect approximately \$17,000 of unpaid invoices. Grazer counterclaimed alleging construction defects, negligence and breaches of contract and warranty. This action is known as *Gordon Jones and Richard Barney v. Allen Grazer*,

Second District Court, Davis County, Farmington Department,
State of Utah, Case No. 020700570 CN ("the civil case").

10. The parties commenced the discovery phase of the civil case. In late 2004 Grazer and his experts began to discuss significant construction defects in the home, and began advising counsel for Gordon Jones of the severity of these defects.

11. On December 15, 2004, the Judge in the civil case sent a notice of trial, scheduling the matter for trial on April 26-29, 2005.

12. On December 22, 2004 Jones transferred, by quit claim deed, the Franklin County property to J&J Livestock, LLC. See Exhibit "A" ("the quit claim deed"). The deed was recorded on December 27, 2004.

13. J&J Livestock, LLC was formed in the state of Utah on December 28, 2004.

14. On April 26-29, 2005 Judge Alphin of the Second District Court in Utah heard the civil case. On April 26, 2005 Judge Alphin dismissed the claims brought by Jones and ruled in favor of Grazer on Jones' claims. On April 29, 2005 Judge Alphin declared his preliminary intention to award judgment in favor of Grazer and against Jones on Grazer's counterclaim. That

judgment has not yet been entered, pending arguments by counsel respecting the amount of damages to be awarded.

FIRST CLAIM FOR RELIEF
(Declaratory Judgment)

15. Grazer realleges and incorporates by reference paragraphs 1 - 14 above.

16. The quit claim deed from Jones to J&J Livestock, LLC was recorded on December 27, 2004.

17. J&J Livestock, LLC did not exist until December 28, 2004. See Exhibit "A."

18. The quit claim deed, which purports to transfer all right, title and interest in the Franklin County property is void ab initio.

19. This court has the power under the Uniform Declaratory Judgment Act, I.C. 10-1201 et seq. to declare the deed void and to declare title to the Franklin County property remains in Jones, grantors under the quit claim deed.

SECOND CLAIM FOR RELIEF
(Uniform Fraudulent Transfer Act)

20. Grazer realleges and incorporates by reference paragraphs 1 - 19 above.

21. As manager, member and registered agent, Jones materially controls, and at all times material hereto has controlled, J&J Livestock, LLC.

22. J&J Livestock, LLC was formed for the purpose of holding title to the Franklin County property.

23. Jones' quit claim deed to J&J Livestock, LLC was made at a time in discovery when Jones became aware of the extent of his potential and likely liability to Grazer.

24. Jones transferred the Franklin County property to J&J Livestock, LLC with actual intent to hinder, delay and defraud Grazer in the collection of a judgment.

25. At the time of the quit claim deed, Jones had received Grazer's expert's report, was facing a trial date on Grazer's claims and believed or reasonably should have believed that a judgment was imminent.

26. On information and belief, Jones did not receive a reasonably equivalent value in exchange for the transfer to J&J Livestock, LLC.

27. Grazer is entitled to an avoidance of the transfer to the extent necessary to satisfy his judgment.

28. This Court should attach the Franklin County property pursuant to I.C. 55-916(b).

29. Defendants and each of them should be enjoined from further disposing of property, real and personal, held in Franklin County, State of Idaho.

WHEREFORE Plaintiff prays for relief as follows:

1. For a declaratory order declaring the quit claim deed void ab initio and vesting title to the Franklin County property in Jones.

2. For judgment avoiding the transfer of the Franklin County property from Jones to J&J Livestock, LLC under the Uniform Fraudulent Transfer Act, I.C. 55-916(a).

3. For a writ of attachment attaching the Franklin County property to satisfy Grazer's judgment against Jones.

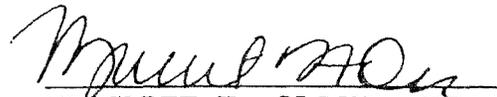
4. For an injunction prohibiting Jones, J&J Livestock, LLC and each of them from further disposing of property, real and personal held in Franklin County, State of Idaho.

5. For attorneys' fees and costs pursuant to (I.C. 12-121, 10-1201) and the parties' contract.

6. For such other and further relief as this Court deems just and equitable.

DATED this 11 day of May, 2005.

HOBBS & OLSON, L.C.


MARGARET H. OLSON, ESQ.
Of Counsel
Attorneys for Plaintiff
Allen F. Grazer

Plaintiff's address:

Allen F. Grazer
1685 South Stone Hollow Court
Bountiful, UT 84010-1069

EXHIBIT "A"

228503

Recorded at the request of
Gordon Jones

10:10
a.m. DEC 27 2004 p.m.

Mail Tax Notice To:
Gordon & Linda Jones
235 West 1400 North, Bountiful, UT 84010

V. ELLIOTT LARSEN, RECORDER
By Shauna Gyddes Deputy
FRANKLIN COUNTY, IDAHO

QUIT-CLAIM DEED

GORDON A. JONES and LINDA G. JONES, Grantors of Davis County, State of Utah, hereby QUIT CLAIM to J&J LIVESTOCK L.L.C. for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of Idaho:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3 RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

TAX SERIAL NO:
ADDRESS:

SUBJECT TO easements, restrictions, covenants and rights of way appearing of record or enforceable in law or equity.

WITNESS the hand of said Grantor(s) this 22 day of December, 2004.

Gordon A. Jones
GORDON A. JONES

Linda G. Jones
LINDA G. JONES

STATE OF UTAH

: 55 :

COUNTY OF DAVIS

On the 22 day of December, 2004, personally appeared before me GORDON A. JONES and LINDA G. JONES who duly acknowledged they are the signers of the foregoing Deed.

Donnie D. S...
NOTARY PUBLIC



NOTARY PUBLIC
BONNIE J. SHAFFER
2141 Timothy Way
Bountiful, Utah 84010
My Commission Expires
February 10, 2005
STATE OF UTAH

FILED
07 DEC 28 AM 11:16
FRANKLIN COUNTY CLERK
K Jones

LINCOLN W. HOBBS (ID BAR # 07325)
MARGARET H. OLSON (ID BAR #04680)
Of Counsel
HOBBS & OLSON, L.C.
Attorneys for Plaintiff Allen F. Grazer
466 East 500 South, Suite 300
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SIXTH JUDICIAL DISTRICT COURT
IN AND FOR FRANKLIN COUNTY, STATE OF IDAHO

ALLEN F. GRAZER, an individual,
Plaintiff,

v.

GORDON A. JONES, an individual; LINDA
G. JONES, an individual; J&J LIVESTOCK,
LLC, a Utah Limited Liability Company; and
John Does 1-10,
Defendants.

**REQUEST FOR SCHEDULING AND
MANAGEMENT CONFERENCE**

Civil No. CV-2005-183

Judge Don L. Harding

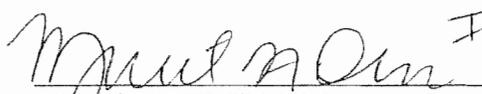
Comes now Allen F. Grazer and hereby requests that the Court schedule a Management Conference in the above-entitled matter.

This matter was stayed as to Gordon A. Jones pursuant to his filing of a bankruptcy petition on April 18, 2006; pursuant to an Order of the United States Bankruptcy Court dated April 19, 2007, a copy of which is attached hereto as Exhibit "A," the property of that debtor has been abandoned, and the automatic stay has been lifted. Further, the bankruptcy is substantively over and the Trustee filed his final report on December 14, 2007, stating the bankruptcy estate is

ready to be closed. A copy of the Trustee's Final Report is attached as Exhibit "B." Thus, this matter can and should proceed.

DATED this 26 day of December, 2007.

HOBBS & OLSON, L.C.


Idaho Bar # 04680
LINCOLN W. HOBBS
Attorneys for Plaintiff Allen F. Grazer

CERTIFICATE OF DELIVERY

I hereby certify that on the 26th day of December, 2007, I caused a true and correct copy of the foregoing to be mailed, first class, postage prepaid, to the following:

Shawn W. Potter, Esq.
TESCH LAW OFFICES
314 Main Street, #200
P.O. Box 3390
Park City, UT 84060-3390
Fax 435-649-2561
Attorney for Defendants

Kent B. Scott, Esq.
BABCOCK, SCOTT & BABCOCK
505 East 200 South, Suite 300
Salt Lake City, UT 84102
Fax No. 531-7060

Joseph M. Covey, Esq.
Ronald G. Russell, Esq.
PARR WADDOUPS BROWN GEE &
LOVELESS
185 South State Street, Suite 1300
Salt Lake City, UT 84111
Co-Counsel for Gordon A. Jones



EXHIBIT "A"

The Trustee's Motion to Approve Settlement Agreement and For Order

Authorizing Abandonment of Property of Estate filed by Gary E. Jubber, Chapter 7 Trustee ("Trustee") on February 16, 2007 ("Motion") came on for hearing before the Honorable Judith A. Boulden on March 28, 2007. Peter W. Billings, Fabian & Clendenin, appeared on behalf of the Trustee. Joseph M.R. Covey, Parr, Waddoups, Brown, Gee & Loveless appeared for the Debtor. Julie A. Bryan, Cohne, Rappaport & Segal and Lincoln W. Hobbs, Hobbs & Olson appeared for Allen Grazer. David J. Shaffer, Shaffer Law Offices, P.C. appeared for the Estate of Richard Barney. Other appearances, if any, were noted on the record

The Court having reviewed the pleadings on file, admitting evidence and hearing arguments presented, entered detailed findings of fact and conclusions of law on the record, which findings and conclusions are incorporated herein, and include, but are not limited to, the following:

FINDINGS AND CONCLUSIONS:

1. Gordon A. Jones, d/b/a J&J Livestock, d/b a Gordon Jones Construction, L.C. (the "Debtor") filed a voluntary petition under Chapter 7 of the Bankruptcy Code on April 18, 2006, commencing Case Number 06-21277 (the "Bankruptcy Case") in the United States Bankruptcy Court for the District of Utah ("Bankruptcy Court"). Gary Jubber (the "Trustee") is the duly appointed and acting Chapter 7 Trustee of the Debtor's bankruptcy estate.
2. That notice of the Motion and the hearing thereon was properly given to the Debtor and all parties-in-interest as required under the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure.

3. Objections to the Motion were filed by the Debtor and by the Estate of Richard Barney. The Objections are overruled.
4. The Settlement Agreement was negotiated at arms' length and in good faith.
5. The Trustee's entry into the Settlement Agreement as a fair, reasonable and proper exercise of the Trustee's business judgment.
6. The Settlement Agreement and the relief requested in the Motion are reasonable, fair, equitable and in the best interest of the estate and its creditors.
7. That in considering this matter, the Court has reviewed and applied the standards set forth in the case of In re Kopexa Realty Venture Co., 213 B.R. 1020, 1022 (10th Cir. BAP 1997).

IT IS HEREBY ORDERED:

1. The Motion is granted and the Settlement Agreement is approved;
2. The Trustee is authorized to execute such documents as may be necessary and appropriate to effect, implement and consummate the Settlement Agreement. Except for the reserves set forth in the Settlement Agreement, the Trustee is authorized to abandon all property of the estate, as provided in the Settlement Agreement, and Grazer shall be deemed to have relief from the stay to pursue any and all state court remedies with respect to such property. Upon the Effective Date of the Settlement Agreement, the property that has been abandoned or for which Grazer has obtained relief from stay shall no longer be considered property of the Debtor's bankruptcy estate. Grazer shall be entitled to fully pursue all his rights and claims against the

aforesaid property in any State or Federal Court what would have jurisdiction absent the filing of the Debtor's bankruptcy; and

3. The property abandoned and/or for which Grazer has obtained relief from the automatic stay shall include but not be limited to the following:

A. **Estate's Interests in real property (along with all improvements and fixtures attached thereto), including, but not limited to the following:**

- (i) The Mountain View Apartments of Farmington located at 175 East State Street, Farmington, Utah (the "Apartments"), more particularly described as follows:

BEGINNING AT A POINT 82.50 FEET WEST ALONG THE NORTH LINE OF A STREET FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 12, PLAT "A", FARMINGTON TOWNSITE SURVEY, IN THE CITY OF FARMINGTON, THENCE WEST 32.5 FEET; THENCE NORTH 00°04'38" WEST 65.00 FEET; THENCE NORTH 45°02'19" WEST 42.46 FEET; THENCE WEST 85.00 FEET TO THE WEST LINE OF PROPERTY CONVEYED IN WARRANTY DEED IN BOOK 984 AT PAGE 838 IN THE RECORDS OF DAVIS COUNTY, UTAH; THENCE NORTH 00°04'38" WEST 153.86 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 2 OF SAID BLOCK 12; THENCE NORTH 89°59'37" EAST 263.00 FEET ALONG SAID NORTH LINE OF LOT 2 TO THE WEST LINE OF A STREET; THENCE SOUTH 00°04'38" EAST 156.00 FEET ALONG SAID STREET; THENCE WEST 115.00 FEET; MORE OR LESS, TO THE WEST LINE OF THE EAST HALF OF SAID LOT 1; THENCE SOUTH 00°04'38" EAST 92.89 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 07-031-0075

Parcels of real property located in Davis County, Utah, including:

Tax Parcel I.D. No. 06-027-0006, with the following legal description:

A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF AN EXISTING GRAVEL ROAD, SAID POINT BEING SOUTH 68.33 FEET AND EAST 33 FEET; FT CENTER OF SAID SECTION 14, THENCE NORTH 89°43'58" EAST ALONG AN EXISTING FENCE 166.0 FEET; THENCE SOUTH 0°21'31" EAST 502.14 FEET; THENCE WEST 169.17 FEET TO AN EXISTING FENCE; THENCE ALONG SAID EXISTING FENCE 501.35 FEET TO THE POINT OF BEGINNING.

("West Bountiful Parcel 6").

- (iii) Two Tax Parcel Nos. 06-027-01 17, 0123 (fka 06-027-0007) and 06-027-01 16, 0122, 0123 (fka 06-027-0008), with the following legal descriptions:

A PART OF SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF AN EXISTING GRAVEL ROAD, SAID POINT BEING SOUTH 68.33 FEET AND EAST 33 FEET AND NORTH 89°43'58" EAST 166.02 FEET FROM CENTER OF SAID SECTION 14, THENCE NORTH 89°43'58" EAST ALONG AN EXISTING FENCE 100 FEET; THENCE SOUTH 00°21'31" EAST 502.61 FEET; THENCE WEST 100 FEET; THENCE NORTH 502.14 FEET TO THE POINT OF BEGINNING. (Parcel No. 06-027-0117, 0123 (fka 06-027-0007))

A PART OF SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN; BEGINNING ON SAID RIGHT OF WAY LINE OF AN EXISTING GRAVEL ROAD SAID POINT BEING SOUTH 68.33 FEET AND EAST 33 FEET AND NORTH 89°43'58" EAST ALONG AN EXISTING FENCE 366.02 FEET FROM CENTER OF SAID SECTION 14, THENCE SOUTH 89°43'58" WEST ALONG AN EXISTING FENCE 100 FEET; THENCE SOUTH 0°21'31" EAST 502.61 FEET; THENCE EAST 100 FEET; THENCE NORTH 0°21'31" WEST 503.08 FEET TO THE POINT OF BEGINNING.

(Parcel No. 06-027-01 16, 0122, 0123 (fka 06-027-0008))

("West Bountiful Parcels 7 and 8"); and

- (iv) Tax Parcel No. 06-027-01 18, 024, 0125 (fka 06-027-0009), with the following legal description:

A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF AN EXISTING GRAVEL ROAD, SAID POINT BEING SOUTH 68.33 FEET AND EAST 399.02 FEET FROM THE CENTER OF SAID SECTION 14 AND RUNNING THENCE NORTH 89°43'58" EAST ALONG AN EXISTING FENCE 100 FEET; THENCE SOUTH 0°21'31" EAST 503.55 FEET; THENCE WEST 100 FEET; THENCE NORTH 0°21'31" WEST 503.08 FEET TO THE POINT OF BEGINNING. (Parcel No. 06-027-01 18, 024, 0125 (fka 06-027-0009))

("West Bountiful Parcel 9").

- (v) Real property located in Sanpete County, Utah, more particularly described as follows: LOT 3, SEC J, INDIAN RIDGE RANCH, CONT. 1.13 AC
- (vii) Real property and improvements located at or about 3369 No. Westside Hwy, Clifton, Idaho (the "Idaho Ranch"), more particularly described as follows:

COMMENCING AT A POINT 53-3/4 RODS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND RUNNING THENCE WEST 240 RODS, THENCE NORTH 53-3/4 RODS, THENCE EAST 240 RODS; THENCE SOUTH 53-3/4 RODS TO THE PLACE OF BEGINNING.

EXCEPTING AND RESERVING A RIGHT-OF-WAY FOR ANY AND ALL IRRIGATION DITCHES AND CANALS, AND PUBLIC ROADS NOW EXISTING OR IN USE UPON AND ACROSS SAID PREMISES, AND

EXCEPTING AND RESERVING THEREFROM A STRIP OF LAND 3 RODS WIDE ALONG THE EAST SIDE OF THE ABOVE-DESCRIBED LAND.

ALSO, THE SOUTH HALF OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO.

TOGETHER WITH 36 SHARES OF THE CAPITAL STOCK OF TWIN LAKES CANAL COMPANY.

TAX SERIAL NO:

ADDRESS:

SUBJECT TO easements, restrictions, covenants and rights of way appearing of record or enforceable in law or equity.

B. **Personal Property or intangibles of the Debtor's bankruptcy estate of any kind whatsoever including but not limited to:**

- (i) accounts receivable;
- (ii) vehicles and equipment that have not been liquidated as part of the Debtors bankruptcy estate.
- (iii) The interest of the Debtor in any entity which the Debtor held (and may still hold) including but not limited to Gordon Jones Construction LLC.

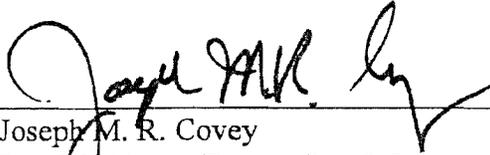
C. Causes of Action or Claims including but not limited to:

- (i) A fraudulent transfer action against Gordon A. Jones, Linda G. Jones, and J&J Livestock, LLC in the Sixth Judicial District Court in and for Franklin County, Idaho, commencing Civil Action No. CV-2005-183 (the "Idaho Fraudulent Conveyance Action"). The Idaho Fraudulent Conveyance Action which may now be pursued by Grazer in the Idaho Court in which it was filed or in any other Court with proper jurisdiction.
- (ii) An action in the Second District Court of Davis County, State of Utah against the Debtor, Linda G. Jones, Richard Barney and Renae Carnon Barney, and the Linda G. Jones Family Partnership, which causes of action were amended in the Amended Complaint dated January 5, 2006 against these Defendants and Jason Jones; GS Jones Construction, Inc.; J&J Livestock, LLC; Cheryl J. Gudmundson; G. Scott Jones; Richilyn Woodin, and Rochelle C. Barney (the "Utah Fraudulent Transfer Action"). The Utah Fraudulent Transfer Action may be pursued by Grazer in the Utah Second District Court of Davis County in which it was filed or in any other Court with proper jurisdiction.
- (iii) Fraudulent Conveyance Actions or any other action that could have been filed by a creditor prior to the filing of the Debtors bankruptcy case, or by the Trustee after the filing of the Debtor's bankruptcy case, to recover property owed to the Debtor or transferred to third parties by the Debtor. Such actions may be pursued by Grazer in any court with proper jurisdiction.

4. The Trustee shall dismiss Adversary Proceeding No 06-2449 filed by the Trustee.

Dismissal of that adversary proceeding shall in no way affect or prejudice the claims or causes of action for denial of discharge under 11 U.S.C. §§ 523 and 727 set forth by Grazer against the Debtor in Adversary Proceeding No. 06-02411.

APPROVED AS TO FORM:



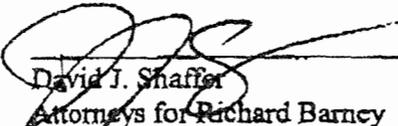
Joseph M. R. Covey
Parr Waddoups Brown Gee & Loveless
Attorneys for Debtor, Gordon A. Jones

David J. Shaffer
Attorneys for Richard Barney

[END OF DOCUMENT]

APPROVED AS TO FORM:

Joseph M. R. Covey
Parr Waddoups Brown Gee & Loveless
Attorneys for Debtor, Gordon A. Jones



David J. Shaffer
Attorneys for Richard Barney

[END OF DOCUMENT]

CLERK OF THE COURT CERTIFICATE OF MAILING

The undersigned hereby certifies that a true and correct executed copy of the foregoing
ORDER APPROVING SETTLEMENT AGREEMENT AND AUTHORIZING
TRUSTEE'S ABANDONMENT OF PROPERTY OF ESTATE was mailed, postage fully
prepaid, this _____ day of April, 2007 to the following:

United States Trustee
Ken Garff Building
405 South Main Street
Suite 300
Salt Lake City, UT 84111

Peter W. Billings
Gary E. Jubber
P.O. Box 510210
Salt Lake City, UT 84151

Gordon A. Jones
235 West 1400 North
Bountiful, UT 84010

Joseph M. R. Covey
Parr Waddoups Brown Gee & Loveless
185 South State Street
Suite 1300
Salt Lake City, UT 84111-1536

Linda G. Jones
235 West 1400 North
Bountiful, UT 84010

Julie Bryan
Cohne, Rappaport & Segal
257 E. 200 S., Ste. 700
Salt Lake City, UT 84111

Lincoln W. Hobbs
Hobbs & Olson
466 East 500 South
Suite 300
Salt Lake City, UT 84111

David J. Shaffer
Key Bank Building
562 South Main Street
Bountiful, UT 84010

EXHIBIT "B"

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH

FILED IN THE
UNITED STATES
BANKRUPTCY COURT

<p>In re: JONES, GORDON A. XXX-XX-2575 DBA GORDON A JONES D B A J AND J LIV DBA GORDON JONES CONSTRUCTION L C Debtor(s)</p>	<p>2007 DEC 14 P 3: 36 CASE NO. 06-21277 JAB CHAPTER 7 DISTRICT OF UTAH DEPUTY CLERK</p>
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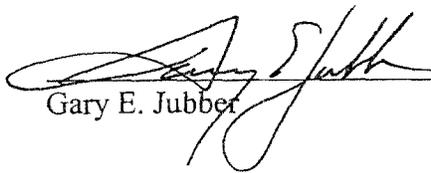
**TRUSTEE'S FINAL REPORT AND APPLICATION FOR COMPENSATION
AND MOTION FOR ORDER APPROVING PAYMENT OF
ADMINISTRATIVE COSTS AND EXPENSES**

The Trustee of the estate presents the following final report:

1. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
2. The Trustee applies for commissions and expenses set forth in Exhibit A (see attached) and states: "That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses; that the Trustee has not been reimbursed or indemnified; and that there is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application, except as permitted by the Bankruptcy Code."
3. The Trustee has reviewed all claims filed in this case and submits Exhibits C and D (attached) as a list of claims and dividends to be paid upon court approval.
4. The Trustee submits Form 1 and 2 as Exhibit E (attached) as a summary of the assets and the disposition of each of these assets. Any property scheduled under 11 U.S.C. §521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. §554(c).
5. The Trustee certifies to the Court and the United States Trustee that the Trustee has faithfully and properly fulfilled the duties of the office of the trustee, and that the Trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court.
6. The Trustee has given notice to all parties in interest as shown on the mailing matrix of his intent to abandon/destroy records of the estate.

WHEREFORE, the Trustee respectfully moves this Court for an order approving Applications for Compensation and Reimbursement of Expenses pursuant to 11 U.S.C. §330(a) and §503(b), pursuant to Rule 3009, Federal Rules of Bankruptcy, authorizing the Trustee to abandon/destroy records of the estate, and determining that the Trustee has complied with all notice and hearing requirements of Section 363 of the Bankruptcy Code to proceed with his final disbursement.

Dated: 12/13/07



Gary E. Jubber

PROPOSED DISTRIBUTION LIST

In re: JONES, GORDON A.
DBA GORDON A JONES D B A J AND J LIV
Bankruptcy Case No.: 06-21277 JAB

APPLICATIONS FOR COMPENSATION AND EXPENSES - CHAPTER 7:

	PROFESSIONAL'S NAME	TOTAL	PREVIOUSLY PAID	AMOUNT TO DISTRIBUTE
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	JOHN WOODHAVE	1,284.00	1,284.00	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	A-1 DISPOSAL	2,365.20	2,365.20	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	RICHARD BARNEY	4,102.36	4,102.36	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	COLONIAL BUILDING SUPPLY	292.86	292.86	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	ROCKY MOUNTAIN POWER	92.14	92.14	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	UTAH POWER	134.06	134.06	0.00
Insurance	STATE FARM INSURANCE	2,327.00	2,327.00	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	ROBERT SUTTON	857.50	857.50	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	CLIPPER PUBLISHING CO., INC.	33.00	33.00	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	MIKE SUTTON	475.00	475.00	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	SHANTELE GHIZZONE	4,742.50	4,742.50	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	DANIECE PETERSEN	105.00	105.00	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	PROFESSIONAL CARPET SYSTEMS, INC.	608.25	608.25	0.00

Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	JUSTIN BROWNING	3,000.00	3,000.00	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	O'BRIEN GLASS	110.76	110.76	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	BENCHLAND WATER DISTRICT	130.00	130.00	0.00
Bond Payments	INTERNATIONAL SURETIES. LTD.	273.99	273.99	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	ART TIMOTHY	2,340.00	2,340.00	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	CRAIG SUPERIOR APPLIANCE HEATING & COOLING, INC.	4,888.55	4,888.55	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	FARMINGTON CITY	3,778.58	3,778.58	0.00
Costs to Secure/Maintain Property (E.g., casualty insurance, locksmith, repairs)	GORDON JONES CONSTRUCTION	58.91	58.91	0.00
Auctioneer for Trustee Fees (including buyers premiums)	ERKELENS & OLSEN AUCTIONEERS	3,600.00	3,600.00	0.00
Auctioneer for Trustee Expenses	ERKELENS & OLSEN AUCTIONEERS	1,229.50	1,229.50	0.00
Trustee Compensation	GARY E. JUBBER	12,808.13	12,808.13	0.00
Trustee Expenses	GARY E. JUBBER	383.76	383.76	0.00
Accountant for Trustee Fees (Other Firm)	PRICEWATERHOUSE COOPERS	29,270.36	29,270.36	0.00
Accountant for Trustee Expenses (Other Firm)	PRICEWATERHOUSE COOPERS	175.92	175.92	0.00
Clerk of the Court Costs (includes adversary and other filing fees)	US BANKRUPTCY COURT	250.00	0.00	250.00
Attorney for Trustee Fees (Trustee Firm)	FABIAN & CLENDENIN	62,785.46	62,785.46	0.00
Attorney for Trustee Expenses (Trustee Firm)	FABIAN & CLENDENIN	4,576.37	4,576.37	0.00
Other State or Local Taxes (post-petition, incl. post-petition real est. taxes)	DAVIS COUNTY TREASURER	6,762.72	6,762.72	0.00

TOTAL CHAPTER 7 ADMINISTRATIVE EXPENSES TO BE DISTRIBUTED:

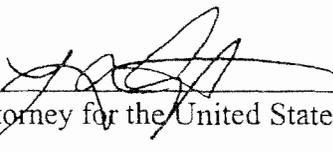
\$ 250.00

SUMMARY OF PROPOSED DISTRIBUTION IN ORDER OF PRIORITY:

Chapter 7 Administrative Claims (Allowed 153,841.88):	\$250.00
Previous Chapter Administrative Claims (None)	N/A
Secured Claims (Allowed 2,102,624.00):	\$87,267.01
Allen F. Grazer	87,267.01
Priority Claims (All PRIORITY CLAIMS (0.00):	N/A
Unsecured Claims (Allowed 28,873.00) Paid 75.00%:	\$21,579.75
Kent B. Scott	19,854.75
Steven E. Barton	1,725.00

I have reviewed the Trustee's Final Report and Proposed Distribution.

CHARLES F. MCVAY
United States Trustee

BY: 

Attorney for the United States Trustee

FILED

07 JAN -2 AM 10:06

FRANKLIN COUNTY CLERK

Hampton
DEPUTY

Kent B. Scott (#2897)
BABCOCK SCOTT & BABCOCK
Washington Federal Plaza
505 East 200 South, Suite 300
Salt Lake City, Utah 84102
Telephone: (801) 531-7000
Facsimile: (801) 531-7060

Attorneys for Defendants

IN THE SIXTH JUDICIAL DISTRICT COURT FOR FRANKLIN COUNTY
STATE OF IDAHO

ALLEN F. GRAZER, an Individual,
Plaintiff,

vs.

GORDON A. JONES, an individual,
LINDA G. JONES, an individual, J&J
LIVESTOCK, LLC, a Utah Limited
Liability Company; and John Does 1-10,

Defendant.

**NOTICE OF WITHDRAWAL
OF COUNSEL**

Civil No.: CV-2005-183

Honorable Don L. Harding

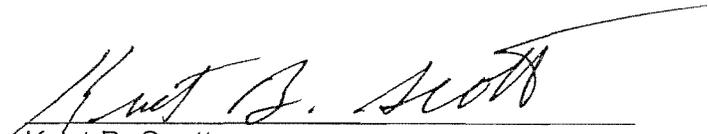
Kent B. Scott and the law firm of Babcock Scott & Babcock hereby notify this Court and counsel that they have withdrawn as counsel for Defendants. Counsel represents that Shawn Potter of this firm holds the Idaho license which enabled him to represent Defendants. Mr. Potter has previously withdrawn as counsel of record which should be effective concerning this firm's representation due to the fact that as of the

date of his withdrawal, this firm had no other attorney who was licensed to practice law in Idaho.

Counsel further represents that no Certificate of Readiness for Trial has been filed, and a trial date has not been set. The firm of Babcock Scott & Babcock has withdrawn its representation of Defendants in all other matters and has not provided any legal services for Defendants since November, 2005. It is also counsel's understanding that Defendants do not object to Babcock Scott & Babcock's withdrawal in this matter as they are currently being represented by the firm of Parr Waddoups Brown Gee & Loveless and David J. Shaffer of the Shaffer Law Office.

DATED this 28th day of December, 2007.

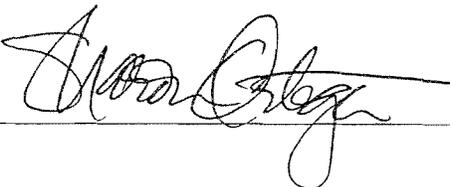
BABCOCK SCOTT & BABCOCK

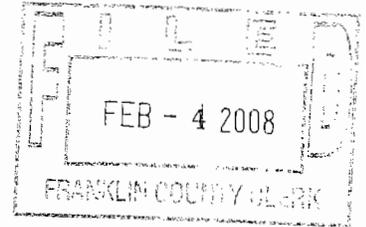

Kent B. Scott

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of December, 2007, a true and correct copy of the foregoing document was served by the method indicated below, to the following:

Lincoln W. Hobbs Margaret H. Olson HOBBS & OLSON, L.C. 466 East 500 South, Suite 300 Salt Lake City, UT 84111	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile
Shawn W. Potter TESCH LAW OFFICES 314 Main Street, #200 P.O. Box 3390 Park City, UT 84060-3390	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile
Joseph M. Covey Ronald G. Russell PARR WADDOUPS BROWN GEE & LOVELESS 185 South State Street, Suite 1300 Salt Lake City, UT 84111	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile
Gordon A. Jones Linda G. Jones J&J Livestock, LLC 235 West 1400 North Bountiful, UT 84010	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile
David J. Shaffer SHAFFER LAW OFFICE 562 South Main Bountiful, UT 84010	<input checked="" type="checkbox"/> U.S. Mail, Postage Prepaid <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile





Lane V. Erickson (ISB#: 5979)
RACINE, OLSON, NYE,
BUDGE & BAILEY, CHARTERED
P.O. Box 1391
Pocatello, Idaho 83204-1391
Telephone: (208)232-6101
Fax: (208)232-6109

Attorney for Defendants

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF FRANKLIN

ALLEN F. GRAZER, an individual,)
)
Plaintiff,)

05-183
Case No. CV-07-43

NOTICE OF APPEARANCE

vs.)

GORDON A. JONES, an individual;)
LINDA G. JONES, an individual; J&J)
LIVESTOCK, LLC, a Utah Limited)
Liability Company; and John Does 1-10,)
Defendant.)

COMES NOW Lane V. Erickson of the law offices of RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED, and hereby gives notice of the entry of his appearance as attorney of record for and on behalf of the Defendants GORDON A. JONES, an individual; LINDA G. JONES, an individual; J&J LIVESTOCK, LLC, a Utah Limited Liability Company, in the above-referenced proceeding, for all purposes and any further proceeding herein.

DATED this 1st day of February, 2008.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By: *Lane V. Erickson*
LANE V. ERICKSON

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of February, 2008, I served a true and correct copy of the above and foregoing document to the following person(s) as follows:

Lincoln W. Hobbs
Margaret H. Olson
HOBBS & OLSON, L.C.
466 E. 500 S., Ste 300
Salt Lake City, UT 84111

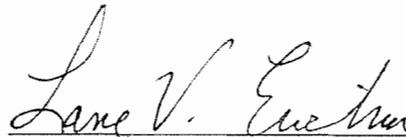
U. S. Mail
Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile

Shawn W. Potter, Esq.
TESCH LAW OFFICES
314 Main Street, #200
P.O. Box 3390
Park City, UT 84060-3390

U. S. Mail
Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile

Kent B Scott, Esq.
BABCOCK, SCOTT & BABCOCK
505 E. 200 S., Ste #300
Salt Lake City, UT 84102

U. S. Mail
Postage Prepaid
 Hand Delivery
 Overnight Mail
 Facsimile



LANE V. ERICKSON

FILED

08 FEB 12 PM 12:05

FRANKLIN COUNTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE Hampton
STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN
DEPUTY

ALLEN F. GRAZER, an individual,

Plaintiff(s),

vs

GORDON A. JONES, an individual;
LINDA G. JONES, an individual
J&J LIVESTOCK, LLC, a Utah
Limited Liability Company; and
John Does 1-10,,

Defendant(s).

Case No. CV-2005-183

**ORDER FOR STATUS AND
SCHEDULING CONFERENCE
(IRCP RULE 16(b))**

It appearing that the above-entitled matter is at issue or is ready for further proceedings,

IT IS HEREBY ORDERED that a SCHEDULING CONFERENCE is hereby set in this matter **THURSDAY, March 13, 2008 at 3:00 p.m.** before the undersigned District Judge.

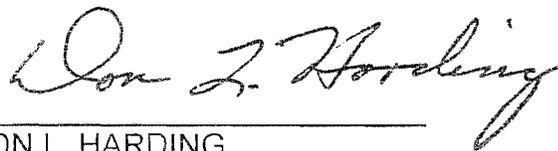
Counsel shall be authorized and prepared to discuss the following matters:

- (1). Service upon non-served parties.
- (2). Status of the case.
- (3). Amendments to the pleadings.
- (4). Pending or anticipated pre-trial motions.

- (5). Status of discovery.
- (6). Time required for trial preparations.
- (7). Time required for trial.
- (8). Cut-off dates for discovery and pre-trial motions.
- (9). Settlement.
- (10). Other matters conducive to determination of the action.

A TELEPHONE CONFERENCE CALL TO 208-852-0877 MAY BE HELD UPON REQUEST OF COUNSEL. SHOULD THIS BE THE CHOICE OF COUNSEL, A NOTICE SHOULD BE SENT TO THE COURT STATING WHO WILL BE INITIATING THE CALL. SUCH CONFERENCES CALLS SHOULD BE PLACED AT THE TIME AND ON THE DATE HEREIN SET. IT IS THE SPECIFIC REQUEST OF THE COURT THAT LOCAL COUNSEL APPEAR IN PERSON IF POSSIBLE.

DATED: February 12, 2008



DON L. HARDING
District Judge

CERTIFICATE OF MAILING/SERVICE

I hereby certify that on February 12, 2008, I mailed/served/faxed a true copy of the foregoing document on the attorney(s)/person(s) listed below by mail with correct postage thereon or causing the same to be hand delivered.

Attorney(s)/Person(s):

Method of Service:

Margaret H. Olson
HOBBS & OLSON, L.C.

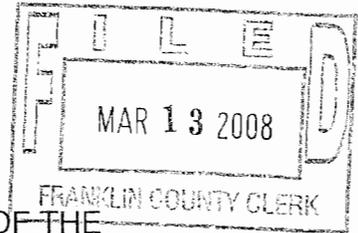
Faxed to: 1-801-519-2999

Lane V. Erickson
RACINE, OLSON, NYE,
BUDGE, & BAILEY, CHARTERED

Faxed to: 232-6109

V. ELLIOTT LARSEN, Clerk

BY: Linda Hampton
Linda Hampton, Deputy



IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN

ALLEN F. GRAZER,

Plaintiff(s),

vs

GORDON A. JONES, an individual;
LINDA G. JONES, an individual,
J&J LIVESTOCK, LLC, a Utah Limited
Liability Company; and John Does 1-10

Defendant(s).

Case No. CV-2005-183

**ORDER FOR TRIAL, PRETRIAL
SCHEDULE, AND PRETRIAL
CONFERENCE**

IT IS HEREBY ORDERED:

**** TRIAL SCHEDULE ****

This cause is set for trial schedule as follows:

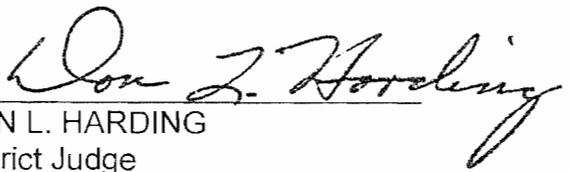
TRIAL: BENCH

DATE: 11-5-08 and pm 11-6-08 TIME: 9:00 a.m.
PLACE: Franklin County Courthouse
SETTING POSITION: 1st setting
ESTIMATED NUMBER OF DAYS: 1 and ½ days

PRETRIAL:

DATE: October 9, 2008 TIME: 1:30 p.m.
PLACE: Franklin County Courthouse

DATED this 13th day of March, 2008.


DON L. HARDING
District Judge

**** APPENDIX A TO TRIAL ORDER ****

1. MULTIPLE SETTINGS:

In the event of multiple settings for the same date and time, it is the responsibility of counsel to inform themselves of their position upon the trial calendar. In the event a case cannot be tried on the date indicated, every effort will be made to reset at the earliest date available to court and the parties.

2. SCHEDULING CONFLICTS:

Requested continuance of trial setting because of pre-existing scheduling conflict shall be by written motion, state specifically the details of the conflict, and be filed within 14 days hereof.

Requests and/or stipulations for continuances for other than pre-existing conflicts must be in writing, state the specific reason therefore, be approved by the client, propose mutually agreeable times for rescheduling, and are subject to approval by the court.

3. SETTLEMENT:

In the event of settlement of this cause prior to trial, **NOTICE SHALL BE GIVEN TO THE JUDGE AND TO THE CLERK OF THE COURT FORTHWITH**. Expenses of the jury incurred because lack of reasonable notice will be assessed to the responsible party or parties.

**** PRE-TRIAL SCHEDULE ****

The pre-trial schedule for this cause shall be as follows:

1. 30 DAYS FROM TODAY'S DATE - DISCLOSURE OF WITNESSES:

Plaintiff shall disclose in writing to Defendant a complete list of all witnesses, expert and lay, which that party intends to call at trial, together with a summary of the testimony of each. Once disclosure from Plaintiff has been received Defendant shall have 30 days to disclose their witnesses.

2. 30 DAYS BEFORE TRIAL - DISCLOSURE OF EXHIBITS:

Each party shall disclose, in writing, to all other parties, and the court, a complete list of all exhibits, with a summary of the points to be proven, with a copy attached, which that party intends to use at trial.

3. 60 DAYS BEFORE TRIAL - DISCOVERY COMPLETION:

All discovery shall be completed. Discovery requests shall have been served sufficiently in advance of this date to require responses to such requests to be filed by this date. Motions for compulsion, sanctions and/or extensions will be filed in

advance of this date.

4. **OCTOBER 9, 2008 - MOTIONS FOR SUMMARY JUDGMENT:**

I. R. C. P. rule 56(b) shall control the filing of Motions for Summary Judgment and briefing schedule.

5. **OCTOBER 9, 2008 - MOTION DEADLINE:**

Except for motions for summary judgment, as set out above, and motions directly related to trial procedure, no motions shall be filed after this date. In addition to other requirements of the Rules, or of Orders of this Court, if any, all motions filed with this Court must be supported by a memorandum of position and authorities. Adverse parties shall oppose in the same manner.

6. **6 WEEKS BEFORE TRIAL - PRE-TRIAL CONFERENCE OF PARTIES:**

Counsel, and any unrepresented party, **shall hold a pre-trial conference** in an effort to resolve the action or to prepare a definitive pre-trial order and plan for trial. Each party shall be prepared to fully discuss each issue and defense presented by the case. The parties shall fully consider the requirements of I.R.C.P. rule 16. This conference **will be held** at the office of the plaintiff's counsel unless otherwise agreed. **Plaintiff's counsel** shall take the lead in organizing and presenting discussion.

Exhibits shall be pre-marked (numerically for plaintiff and alphabetically for defendant. **An index of all exhibits** shall be prepared showing number/letter, offering party, brief description, and whether offered without objection, or if not, the legal grounds for objection.

7. **4 WEEKS BEFORE TRIAL - PRE-TRIAL REPORT AND PROPOSED ORDER:**

The parties shall file a report of their pre-trial conference, including any stipulations of the parties, and a proposed order, substantially covering those matters contemplated by I.R.C.P. rule 16(e)(6)(A) through (K). The report shall include the index of pre-marked exhibits. **Plaintiff's counsel** shall take the lead in drafting the report and proposed order. Any party disagreeing with the content shall submit a separate report identifying the area(s) of disagreement with explanation of differences.

8. **2 WEEKS BEFORE TRIAL - BRIEFS - EXHIBIT COPIES:**

Pre-trial **POINTS AND AUTHORITIES** on all substantive, procedural or evidentiary issues anticipated shall be filed.

Each party shall furnish the court with a copy of each exhibit capable of being copied, in a binder, and tabbed for reference. A tabbed insert sheet, summarizing any exhibit not capable of being copied, shall be included.

Pursuant to Rule 16, I.R.C.P., a formal Pre-trial Conference shall be held on

October 9, 2008 at 1:30 p.m.

**** BENCH TRIAL ****

9. **14 DAYS BEFORE BENCH TRIAL - PROPOSED FINDINGS AND CONCLUSIONS**

Unless Findings and Conclusions are waived by mutual stipulation of the parties, proposed FINDINGS OF FACT AND CONCLUSIONS OF LAW will be filed by each party. The court will not proceed to trial without them. Sanctions will be imposed for delay.

Proposed findings shall be concise and shall recite ultimate rather than mere evidentiary facts. They will serve not only as suggested findings of fact but also a convenient recitation of contentions of the respective parties to be before the court as it hears and considers the evidence.

Proposed conclusions of law should be similarly concise and reflect those that can be drawn reasonably from the proposed findings of fact, and that would support the judgment or decisions sought. Citation of authority should not be included but shall be submitted separately as Points and Authorities.

EARLIER CUT-OFF DATES MAY BE STIPULATED BY THE PARTIES. PROPOSED EXTENSIONS OF DATES SHALL BE SUBJECT TO APPROVAL BY THE COURT.

DELAY OF TRIAL CAUSED BY THE FAILURE OF A PARTY TO COMPLY WITH THIS PRE-TRIAL SCHEDULE WILL RESULT IN SANCTIONS, INCLUDING, AMONG OTHER THINGS, CONTINUANCE, DISMISSAL, STRIKING, EXCLUSION OF WITNESS AND EVIDENCE, AND FINANCIAL PENALTIES.

CERTIFICATE OF MAILING/SERVICE

I hereby certify that on the 21st day of March, 2008, I mailed/served a true copy of the foregoing document on the attorney(s)/person(s) listed below by mail with correct postage thereon or causing the same to be hand delivered.

Attorney(s)/Person(s):

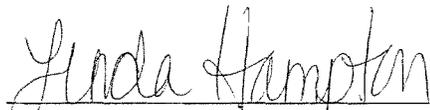
Method of Service:

Margaret H. Olson
HOBBS & OLSON, L.C.

Faxed: 1-801-519-2999

Lane V. Erickson
RACINE, OLSON, NYE,
BUDGE & BAILEY, CHTD

Faxed: 232-6109


Linda Hampton, Deputy Clerk

Lane V. Erickson (ISB#: 5979)
RACINE, OLSON, NYE,
BUDGE & BAILEY, CHARTERED
P.O. Box 1391
Pocatello, Idaho 83204-1391
Telephone: (208)232-6101
Fax: (208)232-6109

FILED
08 AUG 21 AM 10:50
FRANKLIN COUNTY CLERK
K Jones
DEPUTY

Attorney for Defendants

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF FRANKLIN

ALLEN F. GRAZER, an individual,

Plaintiff,

Case No. CV-05-183

vs.

**MOTION TO WITHDRAW AS
ATTORNEY OF RECORD**

GORDON A. JONES, an individual;
LINDA G. JONES, an individual; J&J
LIVESTOCK, LLC, Utah limited
liability company, and John Does, 1-10,

Defendants.

COMES NOW, the undersigned, Lane V. Erickson, and moves this Court for an Order for leave to withdraw as counsel of record for the Defendants, GORDON A. JONES, an individual; LINDA G. JONES, an individual, and J&J LIVESTOCK, LLC, Utah limited herein on the grounds that Defendant Gordon A. Jones has directed that the undersigned take no further action in the above-captioned matter, and as a result of Plaintiff's direction, the undersigned requests leave to withdraw as Plaintiffs' counsel.

WHEREFORE, the undersigned prays for an Order of this Court allowing him to withdraw and directing the Defendants, GORDON A. JONES, LINDA G. JONES, and J&J

LIVESTOCK, LLC, to appoint another attorney or Defendants, GORDON A. JONES and LINDA G. JONES to appear personally by filing a written notice with the Court stating how Defendants, GORDON A. JONES and LINDA G. JONES will represent themselves within twenty (20) days from the date of such Order, pursuant to the Idaho Rules of Civil Procedure 11 (b)(3).

Dated this 18th day of August, 2008.

RACINE, OLSON, NYE, BUDGE
& BAILEY, CHARTERED

By Lane V. Erickson

LANE V. ERICKSON

Attorney for Defendants/Counterclaimants

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of August, 2008, I caused a true, correct and complete copy of the foregoing document to be served by U.S. first-class mail, postage prepaid, upon the following unless a different method of service is indicated:

Margaret H. Olson
HOBBS & OLSON
Salt Lake City, UT 84111
Fax: 801-519-2999

Lane V. Erickson
LANE V. ERICKSON

FILED

08 OCT -7 PM 3:51

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
FRANKLIN COUNTY CLERK

STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN

L Hampton
DEPUTY

ALLEN F. GRAZER,

Plaintiff(s),

Case No. CV-2005-183

vs

GORDON A. JONES, an individual;
LINDA G. JONES, an individual,
J&J LIVESTOCK, LLC, a Utah Limited
Liability Company; and John Does 1-10

Defendant(s).

ORDER OF REFERENCE

The Honorable MITCHELL W. BROWN, District Judge, having been disqualified and it appearing that the above entitled matter, for good and sufficient cause, should be referred to some other District Judge of the State of Idaho;

NOW, THEREFORE, IT IS HEREBY ORDERED that the above entitled matter be and the same is hereby REFERRED to the **HONORABLE PETER D. MCDERMOTT**, Administrative District Judge for assignment to some other District Judge of the State of Idaho.

DATED this 7th day of October, 2008.

Mitchell W. Brown

MITCHELL W. BROWN
District Judge

Copies to:

Margaret Olson/Lincoln Hobbs, Attorneys for Plaintiff: Faxed to: 801-519-2999
Lane V. Erickson, Attorney for Defendant: Faxed to 232-6109

ORDER OF REFERENCE

FILED

08 OCT 10 PM 12: 58

FRANKLIN COUNTY CLERK

M. J. [Signature]
DEPUTY

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT

IN AND FOR THE STATE OF IDAHO, COUNTY OF FRANKLIN

ALLEN F. GRAZER,)
)
Plaintiff,)
)
vs.)
)
GORDON A. JONES, an individual;)
LINDA G. JONES, an individual,)
J & J LIVESTOCK, LLC, a Utah Limited))
Liability Co.,; and John Does 1-10)
)
Defendant.)
)

CASE NO. CV2005-183

ADMINISTRATIVE ORDER
OF REFERENCE

The Honorable Mitchell W. Brown, District Judge, having been disqualified;

NOW, THEREFORE, IT IS HEREWITH ORDERED that the above entitled matter is hereby REFERRED to Honorable Stephen S. Dunn, District Judge for complete resolution.

IT IS SO ORDERED.

DATED this 9th day of October, 2008.

Peter D. McDermott
 PETER D. McDERMOTT
 Administrative District Judge

Copies to:
 Honorable David C. Nye, District Judge
 Honorable Mitchell W. Brown, District Judge
 Honorable Stephen S. Dunn, District Judge
 Margaret Olson/Lincoln Hobbs
 Lane V. Erickson
 Suzanne Johnson, Trial Court Administrator

FILED

08 OCT 24 AM 10:47

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FRANKLIN

FRANKLIN COUNTY CLERK
MyRobert
DEPUTY

Register CV-2005-183

ALLEN F. GRAZER,

Plaintiff,

-vs-

GORDON A. JONES, an individual;
LINDA A. JONES, an individual, J&J
LIVESTOCK, LLC, a Utah Limited
Liability Co.,; and John Does 1-10,

Defendants.

ORDER OF REFERENCE

This Court herewith DISQUALIFIES itself from presiding over this matter;

NOW, THEREFORE, IT IS HEREWITH ORDERED that this matter is REFERRED to the
Honorable Peter D. McDermott, Administrative District Judge for reassignment to another district
judge.

IT IS SO ORDERED.

DATED October 22, 2008.



STEPHEN S. DUNN
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 24 day of Oct, 2008, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Honorable Peter D. McDermott
Administrative District Judge

- U.S. Mail
- Overnight Delivery
- Hand Deliver
- Facsimile 236-7012

Lane v. Erickson
Racine Olson Nye Budge & Bailey
P.O. Box 1391
Pocatello, ID 83204-1391

- U.S. Mail
- Overnight Delivery
- Hand Deliver
- Facsimile

Margaret Olson
Lincoln Hobbs
Hobbs & Olson, LC
525 South 300 East
Salt Lake City, UT 84111

- U.S. Mail
- Overnight Delivery
- Hand Deliver
- Facsimile

DATED this 24 day of Oct, 2008.

M. Robert
Deputy Clerk

FILED

08 NOV -4 AM 9:41

FRANKLIN COUNTY CLERK

K. Gomez

DEPUTY

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT

IN AND FOR THE STATE OF IDAHO, COUNTY OF FRANKLIN

ALLEN F. GRAZER,)
)
 Plaintiff,)
)
 vs.)
)
 GORDON A. JONES, an individual;)
 LINDA A. JONES, an individual, J&J)
 LIVESTOCK, LLC, a Utah Limited)
 Liability Co.; and John Does 1-10)
)
 Defendants.)
)

CASE NO. CV2005-183

ADMINISTRATIVE ORDER
OF REFERENCE

The Honorable Stephen S. Dunn, District Judge, having disqualified himself;

NOW, THEREFORE, IT IS HEREWITH ORDERED that the above entitled matter is hereby REFERRED to Honorable David C. Nye, District Judge for complete resolution.

IT IS SO ORDERED.

DATED this 29th day of October, 2008.



PETER D. McDERMOTT
Administrative District Judge

- Copies to:
 Honorable David C. Nye, District Judge
 Honorable Mitchell W. Brown, District Judge
 Honorable Stephen S. Dunn, District Judge
 Lance V. Erickson
 Margaret Olson
 Suzanne Johnson, Trial Court Administrator

Lane V. Erickson (ISB#: 5979)
RACINE, OLSON, NYE,
BUDGE & BAILEY, CHARTERED
P.O. Box 1391
Pocatello, Idaho 83204-1391
Telephone: (208)232-6101
Fax: (208)232-6109

FILED

09 MAY 13 AM 11:29

FRANKLIN COUNTY CLERK

Hampton

DEPUTY

Attorney for Defendant Gordon A. Jones

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF FRANKLIN

ALLEN F. GRAZER, an individual,

Plaintiff,

vs.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual; J&J
LIVESTOCK, LLC, a Utah limited
liability company, and John Does, 1-10,

Defendants.

Case No. CV-05-183

**DEFENDANT GORDON A. JONES'
MOTION TO DISMISS**

COMES NOW, Defendant Gordon A. Jones by and through his attorney of record, Lane V. Erickson, and pursuant to Rules 12(b)(1), (3), and (6), and recent rulings in the United State Bankruptcy Court, for the District of Utah involving the above-captioned parties; hereby moves this Court to Dismiss the above-captioned proceedings, including any and all causes of action raised by Plaintiff against Defendants, GORDON A. JONES, an individual; LINDA G. JONES, an individual, and J&J LIVESTOCK, LLC, a Utah limited liability company (hereafter collectively referred to as "Defendants"). Defendants Gordon A. Jones' Motion to Dismiss is based upon the grounds and for the reasons that any and all causes of action raised by Plaintiff against the

Defendants are forever barred by applicable Bankruptcy law. All the facts and circumstances supporting this Motion to Dismiss are evidenced by the Affidavit of Lane V. Erickson in Support of Defendants Gordon A. Jones' Motion to Dismiss, (hereafter "Erickson Affidavit") and by the rulings, decisions, and judgments made and entered in the Utah state court and Utah bankruptcy court proceedings and are as follows:

1. Prior to April 26, 2005, the Defendant Gordon A. Jones sued Plaintiff in Utah state court to recover monies claimed to be due and owing for construction and contractor services that were rendered by Defendant Gordon A. Jones to the Plaintiff in the construction of a residential home for Plaintiff. Said litigation was designated as Davis County District Court Case No. 020700570CN.

2. In the course of this litigation Plaintiff countersued Defendant Gordon A. Jones for breach of contract. Trial was commenced in the above litigation before the Honorable Michael G. Allphin from April 26, 2005 through April 29, 2005. Findings of Fact and Conclusions of Law were entered by Judge Allphin on June 17, 2005. On July 11, 2005, a "Judgment Against Counterclaim Defendants Gordon A. Jones and Richard Barney" was entered by Judge Allphin. A true and correct copy of said Judgment is attached to the Affidavit of Lane V. Erickson as Exhibit "A" and is incorporated herein by reference as if set forth fully.

3. On May 12, 2005, Plaintiff filed the present litigation in the Sixth District, Franklin County Court alleging among other things that Defendant Gordon A. Jones had fraudulently transferred property in an attempt to avoid the judgment that was rendered against him by Judge Allphin in the above-described Utah state court litigation. A true and correct copy of the Court Docket for the present case is attached to the Erickson Affidavit as Exhibit "B" and is incorporated

herein by reference as if set forth fully.

4. In support of his claims against Defendant Gordon A. Jones, the Plaintiff filed a Notice of Filing Foreign Judgment on August 1, 2005, wherein he lodged with this Court a copy of the judgment rendered by Judge Allphin in the Utah state court litigation.

5. As a result of the Utah state court judgment entered by Judge Allphin, described more fully above, on April 18, 2006 Defendant Gordon A. Jones filed a Chapter 7 Bankruptcy in U.S. Bankruptcy Court for the District of Utah, as Case No. 06-21277. A true and correct copy of the Docket for the Chapter 7 Bankruptcy of Defendant Gordon A. Jones is attached to the Erickson Affidavit as Exhibit "C" and is incorporated herein by reference as if set forth fully.

6. The filing of the Chapter 7 Bankruptcy by Defendant Gordon A. Jones operated as a Stay in the present litigation pursuant to Federal Bankruptcy Code 11 U.S.C. § 362.

7. On May 30, 2006, and again on January 8, 2007, Chapter 7 Bankruptcy Trustee Gary E. Jubber filed a Notice of Removal of Civil Action, in the present litigation. See Docket entries on Exhibit "B".

8. On July 28, 2006, pursuant to applicable Bankruptcy Code sections, Plaintiff filed an Adversary Action against Defendant Gordon A. Jones for the purpose of obtaining a Judgment against Defendant Gordon A. Jones that would allow Plaintiff to pursue his claims in the present case. Said Adversary Action was filed as Adversary Proceeding No. 06-02411 and was assigned to the Honorable Judith A. Boulden, U.S. Bankruptcy Court for the District of Utah.

9. While this occurred, the present case filed by Plaintiff in the Sixth District, Franklin County was assigned and reassigned to several judges who for various reasons disqualified themselves.

10. On January 20, 2009, U.S. Bankruptcy Judge Judith A. Boulden entered an Order Dismissing the above described Adversary Proceedings due to Plaintiff's having failed to properly prosecute the case by failing to file a proposed pretrial order or seek an extension of the deadline for doing so. A true and correct copy of Judge Boulden's Order Dismissing Adversary Proceeding is attached to the Erickson Affidavit as Exhibit "D" and is incorporated herein by reference as if set forth fully.

11. Also on January 20, 2009, U.S. Bankruptcy Judge Judith A. Boulden entered an Order granting the Discharge of Debtor, who was the Defendant Gordon A. Jones. A true and correct copy of said Discharge of Debtor is attached to the Erickson Affidavit as Exhibit "E" and is incorporated herein by reference as if set forth fully.

12. Pursuant to Federal Bankruptcy Code 11 U.S.C. 727, Defendant Gordon A. Jones, as the Debtor, is forever discharged of any and all debts that arose prior to his filing bankruptcy. As a result of this discharge, Plaintiff is barred from seeking to recover under the Utah State Court Judgment attached to the Erickson Affidavit as Exhibit "A".

13. By reason of the decisions, orders, and granting of the discharge to Defendant Gordon A. Jones by the U.S. Bankruptcy Court for the District of Utah, Plaintiff has no "Foreign Judgment" upon which he can rely in the present case. Additionally, none of the causes of action based upon this Foreign Judgment can now form a valid cause of action against Defendant Gordon A. Jones without being a violation of the Discharge of Debtor order attached to the Erickson Affidavit as Exhibit "E".

WHEREFORE, based upon the facts and for the reasons set forth above, the undersigned requests that its Motion to Dismiss be granted without further hearing or argument so as to avoid

unnecessary expenses for the parties. In the alternative, should the Court determine that a hearing and oral argument are necessary, Defendant Gordon A. Jones requests the Court award him all associated fees and costs.

Dated this 12th day of May, 2009.

RACINE, OLSON, NYE, BUDGE
& BAILEY, CHARTERED

By Lane V. Erickson
LANE V. ERICKSON
Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of May, 2009, I caused a true, correct and complete copy of the foregoing document to be served by U.S. first-class mail, postage prepaid, upon the following unless a different method of service is indicated:

Margaret Olson
Lincoln Hobbs
HOBBS & OLSON, LC
525 South 300 East
Salt Lake City, Utah 84111
Attorneys for Plaintiff

Kent L. Hawkins
MERRILL & MERRILL CHARTERED
P.O. Box 991
Pocatello, Idaho 83204-0991
Attorney for Defendant Linda G. Jones

Lane V. Erickson
LANE V. ERICKSON

Lane V. Erickson (ISB#: 5979)
RACINE, OLSON, NYE,
BUDGE & BAILEY, CHARTERED
P.O. Box 1391
Pocatello, Idaho 83204-1391
Telephone: (208)232-6101
Fax: (208)232-6109

FILED

09 MAY 13 AM 11:29

FRANKLIN COUNTY CLERK

L Hampton

DEPUTY

Attorney for Defendant Gordon A. Jones

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF FRANKLIN

ALLEN F. GRAZER, an individual,

Plaintiff,

vs.

GORDON A. JONES, an individual;
LINDA G. JONES, an individual; J&J
LIVESTOCK, LLC, a Utah limited
liability company, and John Does, 1-10,

Defendants.

Case No. CV-05-183

**AFFIDAVIT OF LANE V. ERICKSON
IN SUPPORT OF DEFENDANT
GORDON A. JONES'
MOTION TO DISMISS**

STATE OF IDAHO)
 : ss
County of Bannock)

LANE V. ERICKSON, (hereafter "Affiant"), after first being duly sworn on oath, deposes
and states as follows:

1. Affiant is the attorney for the Defendant Gordon A. Jones in the above-captioned proceedings; is 18 year so age or older; is competent to testify and makes the following statements under oath upon the best of his knowledge and belief;

2. Prior to April 26, 2005, the Defendant Gordon A. Jones sued Plaintiff in Utah state court to recover monies claimed to be due and owing for construction and contractor services that were rendered by Defendant Gordon A. Jones to the Plaintiff in the construction of a residential home for Plaintiff. Said litigation was designated as Davis County District Court Case No. 020700570CN.

3. In the course of this litigation Plaintiff countersued Defendant Gordon A. Jones for breach of contract. Trial was commenced in the above litigation before the Honorable Michael G. Allphin from April 26, 2005 through April 29, 2005. Findings of Fact and Conclusions of Law were entered by Judge Allphin on June 17, 2005. On July 11, 2005, a "Judgment Against Counterclaim Defendants Gordon A. Jones and Richard Barney" was entered by Judge Allphin. A true and correct copy of said Judgment is attached hereto as Exhibit "A" and is incorporated herein by reference as if set forth fully.

4. On May 12, 2005, Plaintiff filed the present litigation in the Sixth District, Franklin County Court alleging among other things that Defendant Gordon A. Jones had fraudulently transferred property in an attempt to avoid the judgment that was rendered against him by Judge Allphin in the above-described Utah state court litigation. A true and correct copy of the Court

Docket for the present case is attached hereto as Exhibit "B" and is incorporated herein by reference as if set forth fully.

5. In support of his claims against Defendant Gordon A. Jones, the Plaintiff filed a Notice of Filing Foreign Judgment on August 1, 2005, wherein he lodged with this Court a copy of the judgment rendered by Judge Allphin in the Utah state court litigation.

6. As a result of the Utah state court judgment entered by Judge Allphin, described more fully above, on April 18, 2006 Defendant Gordon A. Jones filed a Chapter 7 Bankruptcy in U.S. Bankruptcy Court for the District of Utah, as Case No. 06-21277. A true and correct copy of the Docket for the Chapter 7 Bankruptcy of Defendant Gordon A. Jones is attached hereto as Exhibit "C" and is incorporated herein by reference as if set forth fully.

7. The filing of the Chapter 7 Bankruptcy by Defendant Gordon A. Jones operated as a Stay in the present litigation pursuant to Federal Bankruptcy Code 11 U.S.C. § 362.

8. On May 30, 2006, and again on January 8, 2007, Chapter 7 Bankruptcy Trustee Gary E. Jubber filed a Notice of Removal of Civil Action, in the present litigation. See Docket entries on Exhibit "B".

9. On July 28, 2006, pursuant to applicable Bankruptcy Code sections, Plaintiff filed an Adversary Action against Defendant Gordon A. Jones for the purpose of obtaining a Judgment

against Defendant Gordon A. Jones that would allow Plaintiff to pursue his claims in the present case. Said Adversary Action was filed as Adversary Proceeding No. 06-02411 and was assigned to the Honorable Judith A. Boulden, U.S. Bankruptcy Court for the District of Utah.

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11. On January 20, 2009, U.S. Bankruptcy Judge Judith A. Boulden entered an Order Dismissing the above described Adversary Proceedings due to Plaintiff's having failed to properly prosecute the case by failing to file a proposed pretrial order or seek an extension of the deadline for doing so. A true and correct copy of Judge Boulden's Order Dismissing Adversary Proceeding is attached hereto as Exhibit "D" and is incorporated herein by reference as if set forth fully.

12. Also on January 20, 2009, U.S. Bankruptcy Judge Judith A. Boulden entered an Order granting the Discharge of Debtor, who was the Defendant Gordon A. Jones. A true and correct copy of said Discharge of Debtor is attached hereto as Exhibit "E" and is incorporated herein by reference as if set forth fully.

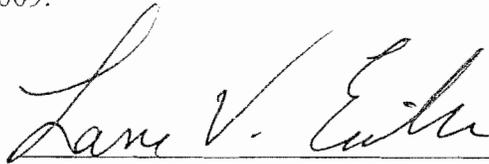
13. Pursuant to Federal Bankruptcy Code 11 U.S.C. 727, Defendant Gordon A. Jones, as the Debtor, is forever discharged of any and all debts that arose prior to his filing bankruptcy.

As a result of this discharge, Plaintiff is barred from seeking to recover under the Utah State Court Judgment attached hereto as Exhibit "A".

14. By reason of the decisions, orders, and granting of the discharge to Defendant Gordon A. Jones by the U.S. Bankruptcy Court for the District of Utah, Plaintiff has no "Foreign Judgment" upon which he can rely in the present case. Additionally, none of the causes of action based upon this Foreign Judgment can now form a valid cause of action against Defendant Gordon A. Jones without being a violation of the Discharge of Debtor order attached hereto as Exhibit "E".

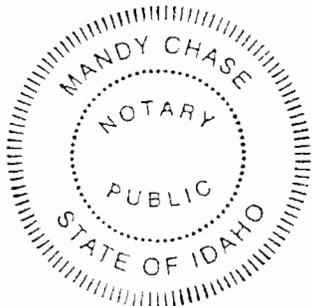
FURTHER SAITH AFFLIANT NAUGHT.

DATED this 12th day of May, 2009.



LANE V. ERICKSON

SUBSCRIBED AND SWORN TO before me on this 12 day of May, 2009.





NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, Idaho
Commission expires: 5-8-2013

CERTIFICATE OF SERVICE

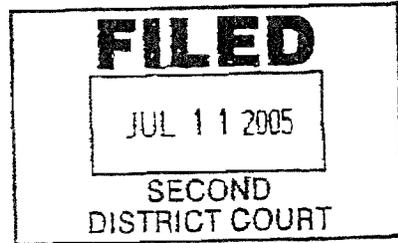
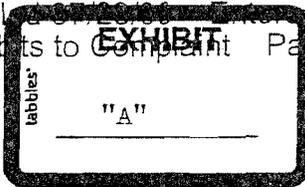
I hereby certify that on the 12th day of May, 2009, I caused a true, correct and complete copy of the foregoing document to be served by U.S. first-class mail, postage prepaid, upon the following unless a different method of service is indicated:

Margaret Olson
Lincoln Hobbs
HOBBS & OLSON, LC
525 South 300 East
Salt Lake City, Utah 84111
Attorneys for Plaintiff

Kent L. Hawkins
MERRILL & MERRILL CHARTERED
P.O. Box 991
Pocatello, Idaho 83204-0991
Attorney for Defendant Linda G. Jones



LANE V. ERICKSON



LINCOLN W. HOBBS, ESQ. (4848)
MARGARET H. OLSON, ESQ. (6296)
TAMARA K. PRINCE, ESQ. (5224)
HOBBS & OLSON, L.C.
Attorneys for Defendant/Counterclaim
Plaintiff Allen F. Grazer
525 South 300 East
Salt Lake City, Utah 84111
Telephone: (801) 519-2555
Facsimile: (801) 519-2999

IN THE SECOND JUDICIAL DISTRICT COURT OF DAVIS COUNTY
FARMINGTON DEPARTMENT, STATE OF UTAH

GORDON JONES, an individual; and
RICHARD BARNEY, an individual,

Plaintiffs,

v.

ALLEN GRAZER, an individual,

Defendant.

ALLEN F. GRAZER,

Counterclaim Plaintiff,

v.

GORDON A. JONES; and RICHARD
BARNEY,

Counterclaim Defendants.

GORDON JONES, an individual; and
RICHARD BARNEY, an individual;

Third Party Plaintiffs,

v.

JUDGMENT AGAINST
COUNTERCLAIM DEFENDANTS
GORDON A. JONES AND RICHARD
BARNEY

Civil No. 020700570 CN

Judge Michael G. Allphin

4685-001 JudgmentvsCounterclaim Defs

JUDGMENT ENTERED

BY 

Judgment against Counterclaim Defendants Gordon

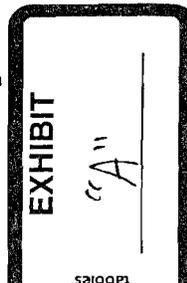


JD18539733

020700570

NU-TREND ELECTRIC COMPANY,

135



R W DESIGN, INC., a Utah corporation;
ROBERT W. SPEIRS PLUMBING, INC.,
a Utah corporation; SCOTT SESSIONS, an
individual; and NU-TREND ELECTRIC
COMPANY, a Utah corporation,

Third Party Defendants.

The above-entitled matter was tried before The Honorable Michael G. Allphin on April 26 through 29, 2005. Plaintiffs were represented by their counsel, David A. Van Dyke and Kent B. Scott; Defendant was represented by his counsel, Lincoln W. Hobbs and Tamara K. Prince.

Having heard the testimony, having reviewed the exhibits offered to and received by the Court, and having considered the law, and the Court having entered Findings of Fact and Conclusions of Law on June 17, 2005.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Defendant Allen F. Grazer be awarded judgment against Gordon A. Jones and Richard Barney, jointly and severally, in the amount of \$1,585,000.00 plus additional consequential damages of \$40,669.97 for the contractor's fee, \$ 31,062.50 for payments to Vanel for repairs, \$9,968.41 for moving and storage expenses, \$133,512.61 for reasonable attorney's fees and costs through May 31, 2005, \$1,783.12 for direct legal costs through April 24, 2005, \$1,457.81 for direct legal costs after April 24, 2005, \$7,305.00 paid to expert Matthew Roblez, P.E., and prejudgment interest in the amount of \$75,968.45 through June 22, 2005 for a total amount of \$1,886,727.87;

2. Together with interest at the at the prejudgment rate accruing at the rate of \$70.59 until the date of judgment;

CERTIFICATE OF DELIVERY

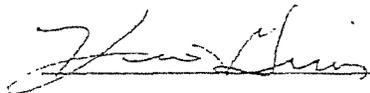
I hereby certify that on the 1 day of July, 2005, I caused a true and correct copy of the foregoing to be sent via facsimile and to be and mailed, first class, postage prepaid, to the following:

David A. Van Dyke, Esq.
2900 West Highway 24
Post Office Box 17
Teasdale, UT 84773
Attorney for Plaintiffs/Counterclaim
Defendants/Third Party Plaintiffs
Gordon A. Jones and Richard Barney
FAX #435-425-3329

Kent B. Scott, Esq.
BABCOCK, SCOTT & BABCOCK
505 East 200 South, Suite 300
Salt Lake City, UT 84102
Co-Counsel for Plaintiffs/Counterclaim
Defendants/Third Party Plaintiffs
Gordon A. Jones and Richard Barney
FAX #531-7060

Stephen F. Noel, Esq.
SMITH KNOWLES P.C.
4723 Harrison Blvd., Suite 200
Ogden, UT 84403
Attorneys for Third-Party Defendants
R W Design, Inc. and Robert W. Speirs
Plumbing, Inc.
FAX #476-0399

Nu-Trend Electric Company
57 West 200 North
Bountiful, UT 84010
Third-Party Defendant *Pro Se*
Scott Sessions
289 West Tobe Drive
Centerville, UT 84014
Third-Party Defendant *Pro Se*



3. Together with post-judgment interest accruing at the judgment rate, until paid;

IT IS FURTHER ORDERED that this Judgment shall be augmented by reasonable costs and attorneys' fees expended in connection with efforts that have been incurred since May 31, 2005 and that are necessitated in collecting this Judgment by execution or otherwise as shall be established by Affidavit.

DATED this 7th day of July, 2005.

BY THE COURT:

Michael G. Alphin

HON. MICHAEL G. ALPHIN
District Court Judge

APPROVED AS TO FORM:

BABCOCK, SCOTT & BABCOCK

Kent B. Scott

Kent B. Scott
David A. Van Dyke
Attorneys for Plaintiffs

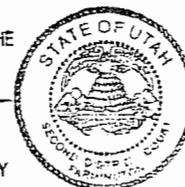
STATE OF UTAH }
COUNTY OF DAVIS } ss.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL ON FILE IN MY OFFICE.

DATED THIS 15 DAY OF July, 2005
ALYSON E BROWN
CLERK OF THE COURT

BY Alyson Brown DEPUTY

PAGE 3 OF 4



HOBBS & OLSON

Tamara K. Prince

Lincoln W. Hobbs & Olsen
Margaret H. Olson
Tamara K. Prince
Attorneys for Defendant

Case Number Result Page

Franklin

1 Cases Found.

Allen F. Grazer vs. Gordon A. Jones, etal.

Case: CV-2005-0000183 District Filed: 05/12/2005 Subtype: Other Claims Judge: David C. Nye Status: Reopened 02/04/2008

Defendants: J & J Livestock, LLC Jones, Gordon A. Jones, Linda G.
Plaintiffs: Grazer, Allen F.Register Date
of
actions:

05/12/2005 New Case Filed - Other Claims
Filing: A1 - Civil Complaint, More Than \$1000 No Prior Appearance Paid by: Hobbs & Olson, LC Receipt number: 0001351 Dated: 5/12/2005 Amount: \$77.00 (Check)

05/12/2005 Plaintiff: Grazer, Allen F. Appearance Margaret H. Olson

05/12/2005 Lis Pendens

06/15/2005 Application for Prejudgment Writ of Attachment

06/15/2005 Notice of Hearing

06/15/2005 Memorandum in Support of Application for Prejudgment Writ of Attachment

06/23/2005 Acceptance of Service

06/23/2005 Affidavit of Allen F. Grazer in Support of Prejudgment Writ of Attachment

06/30/2005 Summons issued: Gordon A. Jones/ Shawn Potter Esquire

07/01/2005 Hearing Scheduled (Hearing Scheduled 07/28/2005 01:30 PM) Plaintiff's Application for Prejudgment Writ of Attachment

07/08/2005 Filing: I1A - Civil Answer Or Appear. More Than \$1000 No Prior Appearance Paid by: J & J Livestock, LLC (defendant) Receipt number: 0001986 Dated: 7/8/2005 Amount: \$52.00 (Check)

07/08/2005 Summons - Gordon Jones

07/22/2005 Memorandum in Opposition to Plaintiff's Motion for Injunctive Relief and Prejudgment Writ of Attachment

07/27/2005 Hearing result for Hearing Scheduled held on 07/28/2005 01:30 PM: Hearing Vacated Plaintiff's Application for Prejudgment Writ of Attachment

07/28/2005 Stipulation for Prejudgment Writ of Attachment and Injunction

08/01/2005 Filing: S1 - Filing Foreign Judgment Judgment Creditor Paid by: Olson, Margaret H. (attorney for Grazer, Allen F.) Receipt number: 0002259 Dated: 8/1/2005 Amount: \$7.00 (Check)

08/01/2005 Notice Of Filing Foreign Judgment

08/01/2005 Affidavit of Margaret H. Olson re: Foreign Judgment

08/22/2005 Prejudgment Writ of Attachment and Injunction

08/22/2005 Case Status Changed: closed

11/21/2005 Notice of Change of Address

11/21/2005 Case Status Changed: reopened

11/21/2005 Motion to Amend Complaint

11/21/2005 Memorandum in Support of Motion to Amend Complaint

139

EXHIBIT

"B"

tabbles

11/22/2005 Order to Amend Complaint
05/30/2006 Notice of Withdrawal of Counsel-Shawn Potter for Jones
07/19/2006 Notice of Removal of Civil Action by Trustee
07/19/2006 Case Status Changed: closed pending clerk action
01/08/2007 Notice of Removal of Civil Action by Trustee-Jubber
01/08/2007 Order Remanding Adversary Proceeding-Certified Copy
12/28/2007 Request for Scheduling and Management Conference-Olson
01/02/2008 Notice of Withdrawal of Counsel
02/04/2008 Defendant: Jones, Gordon A. Appearance Lane V. Erickson
02/04/2008 Defendant: Jones, Linda G. Appearance Lane V. Erickson
02/04/2008 Defendant: J & J Livestock, LLC Appearance Lane V. Erickson
02/04/2008 Notice Of Appearance - Lane Erickson
02/12/2008 Hearing Scheduled (Status 03/13/2008 03:00 PM)
03/13/2008 Hearing result for Status held on 03/13/2008 03:00 PM: Hearing Held
03/21/2008 Hearing Scheduled (Bench Trial 11/05/2008 09:00 AM) afternoon of 6th if needed
03/21/2008 Hearing Scheduled (Bench Trial Pretrial 10/09/2008 01:30 PM)
05/16/2008 Plaintiff's Disclosure of Witness-Hobbs
08/06/2008 Hearing result for Bench Trial Pretrial held on 10/09/2008 01:30 PM: Continued
08/06/2008 Hearing Scheduled (Bench Trial Pretrial 10/23/2008 01:30 PM)
08/06/2008 AMENDED Notice of Hearing
08/18/2008 Hearing Scheduled (Motion to Withdraw 09/11/2008 01:45 PM) Motion to Withdraw Attorney-Lane Erickson
08/21/2008 Motion to Withdraw as Attorney of Record-Erickson
08/21/2008 Notice of Hearing for Motion to Withdraw as Attorney of Record-Erickson
09/10/2008 Withdrawal of Motion to Withdraw as Attorney of Record-Erickson
10/01/2008 Change Assigned Judge (batch process)
10/07/2008 Administrative Order of Reference
10/07/2008 Hearing Scheduled (Bench Trial 11/05/2008 09:00 AM)
10/10/2008 Change Assigned Judge
10/10/2008 Administrative Order of Reference
10/15/2008 Defendant: Jones, Linda G. Appearance Kent Lee Hawkins
10/15/2008 Substitution Of Counsel-Hawkins
10/24/2008 Order of Reference
11/04/2008 Change Assigned Judge

Connection: Secure

DISCHARGED, CLOSED

**U.S. Bankruptcy Court
District of Utah (Salt Lake City)
Bankruptcy Petition #: 06-21277**

Assigned to: Judith A. Boulden
Chapter 7
Voluntary
Asset

Date filed: 04/18/2006
Date terminated: 01/20/2009
Debtor discharged: 01/20/2009

Debtor disposition: Standard Discharge

Debtor

Gordon A. Jones
235 West 1400 North
Bountiful, UT 84010
U.S.A.

801-694-1964

SSN / ITIN: [REDACTED]

dba

Gordon A. Jones d/b/a J & J Livestock

dba

Gordon Jones Construction, L.C.

represented by **Joseph M.R. Covey**

Parr Waddoups Brown Gee &
Loveless

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(801) 532-7840

Fax : (801) 532-7750

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jcovey@parrbrown.com

Robert B. Lochhead

Parr Waddoups Brown Gee &
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Fax : (801) 532-7750

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Trustee

Gary E. Jubber tr

Fabian & Clendenin

215 South State Street

Suite 1200

Salt Lake City, UT 84111

(801) 531-8900

represented by **Douglas J. Payne**

Fabian & Clendenin

215 South State Street

Suite 1200

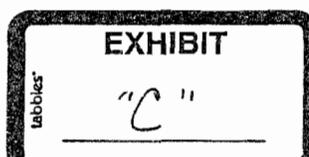
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U.S. Trustee
United States Trustee
 Ken Garff Bldg.
 405 South Main Street
 Suite 300
 Salt Lake City, UT 84111

Filing Date	#	Docket Text
01/22/2009	<u>121</u>	BNC Certificate of Service - Order of Discharge. (related document(s):Order Discharging Debtor(s) and Closing Case) Service Date 01/22/2009. (Admin.) (EOD: 01/22/2009)
01/20/2009		Order Discharging Debtor(s) and the Trustee has filed a Final Account of Trustee and has certified that the estate has been fully administered, and no timely objection has been filed. Accordingly, it is ORDERED that the trustee is discharged and THE CASE IS HEREBY CLOSED. Judge Judith A. Boulden (mtm) (EOD: 01/20/2009)
01/20/2009		Adversary Case 2:06-ap-2411 Disposed. (mtm) (EOD: 01/20/2009)
07/20/2008	<u>120</u>	Certificate of Service Re: Order. (related document(s): <u>119</u> Order on Motion for Ex Parte Relief) Service Date 07/20/2008. (Admin.) (EOD: 07/20/2008)
07/18/2008	<u>119</u>	Order Waiving Court Fees(Related Doc # <u>117</u>). \$500.00 in court fees are waived (fsl,) (EOD: 07/18/2008)
07/16/2008	<u>118</u>	Pending Order (Ex Parte) related documents(s): <u>117</u> Motion for Ex Parte Relief Filed by: (Jubber tr, Gary) [Order# 92861] (EOD: 07/16/2008)
07/16/2008	<u>117</u>	Motion for Ex Parte Relief <i>for Waiver of Court Fees</i> Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 07/16/2008)

06/20/2008		Reset Deadline -Notice of Fees Due by 9/5/2008. ((gmg.)Trustee Jubber owes for 2 adversary fees. (EOD: 06/20/2008)
04/11/2008	<u>116</u>	Certificate of Service Re: Miscellaneous Pleadings Service Date 04/11/2008. (Admin.) (EOD: 04/11/2008)
04/09/2008		Clerk's Notice of Fees Due Amount Due:\$500.00 for Adversaries 06-2394 and 06-2395 Fee due by 4/16/2008. (fsl,) (EOD: 04/09/2008)
04/09/2008		Remark. Case cannot be closed at this time. Fees are still owed in this case and there is an outstanding 727,Case 06-2411. (fsl,) (EOD: 04/09/2008)
03/25/2008	<u>115</u>	Trustee's Supplemental Final Report filed by Trustee. (fsl,) (EOD: 03/26/2008)
01/25/2008		Remark. AMENDED Court fees due in the amount of \$750.00 for adversary cases 06-2449, 06-2395, and 06-2394. \$250.00 previously paid for Adversary case 06-2449. 06-2395 and 06-2394 are removals filed by the trustee (fsl,) (EOD: 01/25/2008)
01/25/2008	<u>114</u>	Debtor's Certification of Completion of Instructional Course Concerning Financial Management (Covey, Joseph) (EOD: 01/25/2008)
01/18/2008	<u>113</u>	Certificate of Service Re: Order. (related document(s): <u>112</u> Order Approving Chapter 7 Trustee's Final Report and Account) Service Date 01/18/2008. (Admin.) (EOD: 01/18/2008)
01/17/2008		Filing Fee Paid. Receipt Number: 255390 Fee Amount \$250 (related document(s): Remark) (mfm,) (EOD: 01/17/2008)
01/16/2008	<u>112</u>	Order Approving Chapter 7 Trustee's Final Report & Account (fsl,) (EOD: 01/16/2008)
01/14/2008	<u>111</u>	Pending Order (Ex Parte) related documents(s): <u>106</u> Trustee's Final Rpt/Acct - Asset Filed by: (Jubber tr, Gary) [Order# 84384] (EOD: 01/14/2008)
01/14/2008	<u>110</u>	Ex Parte Motion for Entry of Judgment/Order (related document (s): <u>106</u> Trustee's Final Rpt/Acct - Asset) Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 01/14/2008)
12/19/2007	<u>109</u>	Certificate of Service Re: Miscellaneous Pleadings Service Date 12/19/2007. (Admin.) (EOD: 12/19/2007)

12/17/2007	<u>108</u>	Clerk's Noticing Re: Trustee's Request (related document(s): <u>107</u> Trustee's Notice of Filing of Trustee's Final Report and Account Before Distribution) (fsl,) (EOD: 12/17/2007)
12/17/2007		The trustee (or USTR) requests that the previously filed (related document(s): <u>107</u>)be noticed to all creditors to the BNC. (Jubber tr, Gary) (EOD: 12/17/2007)
12/17/2007	<u>107</u>	Trustee's Notice of Filing of Trustee's Final Report and Account Before Distribution filed by Trustee (Jubber tr, Gary) (EOD: 12/17/2007)
12/14/2007	<u>106</u>	Trustee's Chapter 7 Asset Final Report filed by Trustee. (fsl,) (EOD: 12/17/2007)
11/08/2007		Remark. Court fees in the amount of \$250.00 for adversary 06-2449. (fsl,) (EOD: 11/08/2007)
11/08/2007		Trustee's Request for a Bill. (Jubber tr, Gary) (EOD: 11/08/2007)
10/31/2007	<u>105</u>	Certificate of Service Re: Order. (related document(s): <u>102</u> Order Regarding Claim) Service Date 10/31/2007. (Admin.) (EOD: 10/31/2007)
10/31/2007	<u>104</u>	Certificate of Service Re: Order. (related document(s): <u>101</u> Order Regarding Claim) Service Date 10/31/2007. (Admin.) (EOD: 10/31/2007)
10/31/2007	<u>103</u>	Certificate of Service Re: Order. (related document(s): <u>100</u> Order Regarding Claim) Service Date 10/31/2007. (Admin.) (EOD: 10/31/2007)
10/29/2007	<u>102</u>	Order Regarding Claim (related document(s): <u>84</u> Objection to Claim) Claim Number(s): <u>3</u> . Claim of G.S. Jones Construction is disallowed in its entirety (fsl,) (EOD: 10/29/2007)
10/29/2007	<u>101</u>	Order Regarding Claim (related document(s): <u>86</u> Objection to Claim) Claim Number(s): <u>4</u> . Claim filed by Linda G. Jones is disallowed in its entirety. (fsl,) (EOD: 10/29/2007)
10/29/2007	<u>100</u>	Order Regarding Claim (related document(s): <u>88</u> Objection to Claim) Claim Number(s): <u>5</u> . Claim filed by Steven E. Barton is allowed only as a non-priority unsecured claim in the amount of \$2300.00 (fsl,) (EOD: 10/29/2007)
		Ex Parte Motion for Entry of Judgment/Order (related document (s):[<u>84</u> Objection to Claim) Filed by Allen Grazer (Bryan, Julie)

10/25/2007	<u>99</u>	Modified on 10/25/2007 (fsl,). (EOD: 10/25/2007)
10/25/2007	<u>98</u>	Pending Order (Hearing Scheduled) related documents(s): <u>84</u> Objection to Claim Filed by: (Bryan, Julie) [Order# 81127] (EOD: 10/25/2007)
10/25/2007	<u>97</u>	Ex Parte Motion for Entry of Judgment/Order (related document (s): <u>86</u> Objection to Claim) Filed by Allen Grazer (Bryan, Julie) Modified on 10/25/2007 (fsl,). (EOD: 10/25/2007)
10/25/2007	<u>96</u>	Pending Order (Hearing Scheduled) related documents(s): <u>86</u> Objection to Claim Filed by: (Bryan, Julie) [Order# 81126] (EOD: 10/25/2007)
10/25/2007	<u>95</u>	Ex Parte Motion for Entry of Judgment/Order (related document (s): <u>88</u> Objection to Claim) Filed by Allen Grazer (Bryan, Julie) Modified on 10/25/2007 (fsl,). (EOD: 10/25/2007)
10/25/2007	<u>94</u>	Pending Order (Hearing Scheduled) related documents(s): <u>88</u> Objection to Claim Filed by: (Bryan, Julie) [Order# 81125] (EOD: 10/25/2007)
10/18/2007	<u>93</u>	Certificate of Service Re: Order. (related document(s): <u>92</u> Order on Application for Compensation, . . .) Service Date 10/18/2007. (Admin.) (EOD: 10/18/2007)
10/16/2007	<u>92</u>	Order Granting Application for Compensation (Related Doc # <u>79</u>) Granting for Gary E. Jubber tr, fees awarded: \$12808.13, expenses awarded: \$383.76, Granting Application for Compensation (Related Doc # <u>80</u>) Granting for Gary E. Jubber, fees awarded: \$62785.46, expenses awarded: \$4576.37, Granting Application for Compensation (Related Doc # <u>81</u>) Granting for PricewaterhouseCoopers L.L.P., fees awarded: \$29270.36, expenses awarded: \$175.92 (fsl,) (EOD: 10/16/2007)
10/15/2007		Minute Entry Re: First and Final Application of Trustee's Accountant for Allowance of Compensation as an Administrative Expense. Motion granted. Fees of \$29,270.36 and expenses of \$175.92 allowed. Order executed. (JAB,arp,kc) (related document (s): <u>81</u>) Appearances: Gary Jubber TR (arp) (EOD: 10/15/2007)
10/15/2007		Minute Entry Re: Verified Application for Allowance of Compensation and Reimbursement of Expenses of Fabian & Clendenin, Counsel for Trustee. Motion granted. Fees of \$62,785.46 and expenses of \$4,576.37 allowed. Order executed. (JAB,arp,kc) (related document(s): <u>80</u>) Appearances: Gary Jubber TR (arp) (EOD: 10/15/2007)

10/15/2007		Minute Entry Re: Chapter 7 Trustee's Application for Compensation and Reimbursement of Expenses. Motion granted. Fees of \$12,808.13 and expenses of \$383.76 allowed. Order executed. (JAB,arp,kc) (related document(s): <u>79</u>) Appearances: Gary Jubber TR (arp) (EOD: 10/15/2007)
10/01/2007	<u>91</u>	Certificate of Service (related document(s): <u>89</u> Notice of Hearing,) <i>Supplemental Service-Notice of Objection Claim 5</i> Filed by Allen Grazer (Bryan, Julie) (EOD: 10/01/2007)
09/15/2007	<u>90</u>	Certificate of Service Re: Miscellaneous Pleadings Service Date 09/15/2007. (Admin.) (EOD: 09/15/2007)
09/14/2007	<u>89</u>	Notice of Hearing (related document(s): <u>88</u> Objection to Claim) <i>5 of Stephen E. Barton</i> Filed by Julie A. Bryan on behalf of Allen Grazer Hearing scheduled for 12/3/2007 at 02:00 PM at US Bankruptcy Court. (Bryan, Julie) Modified on 9/17/2007 (jtt,). (EOD: 09/14/2007)
09/14/2007	<u>88</u>	Objection to Claim Number(s): <u>5</u> . Name of Claimant: Stephen E. Barton. Filed by Allen Grazer (Bryan, Julie) (EOD: 09/14/2007)
09/14/2007	<u>87</u>	Notice of Hearing (related document(s): <u>86</u> Objection to Claim) <i>4 of Linda G. Jones</i> Filed by Julie A. Bryan on behalf of Allen Grazer Hearing scheduled for 12/3/2007 at 02:00 PM at US Bankruptcy Court. (Bryan, Julie) (EOD: 09/14/2007)
09/14/2007	<u>86</u>	Objection to Claim Number(s): <u>4</u> . Name of Claimant: Linda G. Jones. Filed by Allen Grazer (Bryan, Julie) (EOD: 09/14/2007)
09/14/2007	<u>85</u>	Notice of Hearing (related document(s): <u>84</u> Objection to Claim) <i>3 of GS Jones Construction</i> Filed by Julie A. Bryan on behalf of Allen Grazer Hearing scheduled for 12/3/2007 at 02:00 PM at US Bankruptcy Court. (Bryan, Julie) Modified on 9/17/2007 (jtt,). (EOD: 09/14/2007)
09/14/2007	<u>84</u>	Objection to Claim Number(s): <u>3</u> . Name of Claimant: G.S. Jones Construction. Filed by Allen Grazer (Bryan, Julie) (EOD: 09/14/2007)
09/13/2007	<u>83</u>	Clerk's Noticing Re: Trustee's Request (related document(s): <u>82</u> Notice of Hearing,) (fsl,) (EOD: 09/13/2007)
09/13/2007		The trustee (or USTR) requests that the previously filed (related document(s): <u>82</u>)be noticed to all creditors to the BNC. (Jubber tr, Gary) (EOD: 09/13/2007)

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09/13/2007	<u>82</u>	Notice of Hearing (related document(s): <u>81</u> Application for Compensation, <u>80</u> Application for Compensation, <u>79</u> Application for Compensation) Filed by Gary E. Jubber tr on behalf of Gary E. Jubber tr Hearing scheduled for 10/15/2007 at 02:00 PM at US Bankruptcy Court. (Jubber tr, Gary) (EOD: 09/13/2007)
09/13/2007	<u>81</u>	Application for Compensation for PricewaterhouseCoopers L.L.P., Accountant, period: 5/11/2006 to 8/22/2007, fee: \$29,270.36, expenses: \$175.95. Filed by Gary E. Jubber (Jubber, Gary) (EOD: 09/13/2007)
09/13/2007	<u>80</u>	Application for Compensation for Gary E. Jubber, Trustee's Attorney, period: 5/8/2006 to 8/30/2007, fee: \$62,785.46, expenses: \$4,576.37. Filed by Gary E. Jubber (Jubber, Gary) (EOD: 09/13/2007)
09/13/2007	<u>79</u>	Application for Compensation for Gary E. Jubber tr, Trustee Chapter 7, period: 5/1/2006 to 8/30/2007, fee: \$12,808.13, expenses: \$383.76. Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 09/13/2007)
05/07/2007		Adversary Case 06-2449 Disposed. (lb) (EOD: 05/07/2007)
04/21/2007	<u>78</u>	Certificate of Service Re: Order Service Date 04/21/2007. (Admin.) (EOD: 04/21/2007)
04/19/2007	<u>77</u>	Order Granting Motion To Approve Settlement/Compromise. The Trustee is authorized to execute such documents as may be necessary and appropriate to effect, implement and consummate the Settlement Agreement. Except for the reserves set forth in the Settlement Agreement, the Trustee is authorized to abandon all property of the estate. Grazer shall be deemed to have relief from the stay to pursue any and all state court remedies with respect to such property. The Trustee shall dismiss Adversary proceeding No 06-2449 filed by the Trustee. Dismissal of that adversary proceeding shall in no way affect or prejudice the claims or causes of action for denial of discharge under 11 USC 523 and 727 set forth by Grazer against the Debtor in Adversary No 06-2411. (Related Doc # <u>68</u>) (ksh,) (EOD: 04/19/2007).
04/18/2007	<u>76</u>	Pending Order (Hearing Held) related documents(s): <u>68</u> Motion to Approve Settlement/Compromise Filed by: (Jubber tr, Gary) [Order# 72397] (EOD: 04/18/2007)
		Minute Entry Re: Motion to Approve Settlement Agreement and for Order Authorizing Abandonment of Property Estate. Motion granted. Exhibits received. Witness: Gary Jubber. Findings of Fact and Conclusions made on the record. OTF Billings.

03/28/2007		(JAB,arp,kc/cf) (related document(s): <u>72</u>) Appearances: Peter Billings and Gary Jubber TR, Julie Bryan and Nathan Hobbs ALLEN GRAZER, Joe Covey and Michael Hoppe DB, David Chaffer RICHARD BARNEY (arp) (EOD: 03/30/2007)
03/27/2007	<u>75</u>	Response to (related document(s): <u>73</u> ,(related document(s): <u>74</u> Objections to Motions to Approve Settlement/Compromise, Filed by Allen Grazer (Bryan, Julie). (EOD: 03/27/2007)
03/26/2007	<u>74</u>	Objection to (related document(s): <u>72</u> Amended Motion to Approve Settlement/Compromise, filed by Trustee Gary E. Jubber tr) Filed by Richard Barney (ksh,) (EOD: 03/26/2007)
03/23/2007	<u>73</u>	Objection to (related document(s): <u>68</u> Motion to Approve Settlement/Compromise filed by Trustee Gary E. Jubber tr) Filed by Gordon A. Jones (Covey, Joseph) (EOD: 03/23/2007)
02/20/2007	<u>72</u>	Amended Document (related document(s): <u>68</u> Motion to Approve Settlement/Compromise) <i>Exhibit "A" to Trustee's Motion to Approve Settlement Agreement and for Order Authorizing Abandonment of Property of Estate</i> Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 02/20/2007)
02/18/2007	<u>71</u>	Certificate of Service Re: Miscellaneous Pleadings Service Date 02/18/2007. (Admin.) (EOD: 02/18/2007)
02/16/2007	<u>70</u>	Clerk's Noticing Re: Trustee's Request (related document(s): <u>68</u> Motion to Approve Settlement/Compromise, <u>69</u> Notice of Hearing) (ksh,) (EOD: 02/16/2007)
02/16/2007		The trustee (or USTR) requests that the previously filed (related document(s): <u>68</u> , <u>69</u>)be noticed to all creditors to the BNC. (Jubber tr, Gary) (EOD: 02/16/2007)
02/16/2007	<u>69</u>	Notice of Hearing (related document(s): <u>68</u> Motion to Approve Settlement/Compromise) Filed by Peter W. Billings Jr. on behalf of Gary E. Jubber tr Hearing scheduled for 3/28/2007 at 02:00 PM at US Bankruptcy Court. (Billings, Peter) (EOD: 02/16/2007)
02/16/2007	<u>68</u>	Motion to Approve Settlement/Compromise <i>and for Order Authorizing Abandonment of Property of Estate</i> Filed by Gary E. Jubber tr (Billings, Peter) (EOD: 02/16/2007)
01/03/2007		Adversary Case 06-2395 Disposed. (arp,) (EOD: 01/03/2007)
01/03/2007		Adversary Case 06-2394 Disposed. (arp,) (EOD: 01/03/2007)

10/27/2006	<u>67</u>	Certificate of Service Re: Order Service Date 10/27/2006. (Admin.) (EOD: 10/27/2006)
10/25/2006	<u>66</u>	Order Regarding Motion To Sell (Related Doc # <u>56</u>), Granting Motion To Amend Motion To Sell property free and clear of liens, with valid liens, if any, attaching to the sales proceeds. (Related Doc # <u>57</u>) (ksh.) (EOD: 10/25/2006)
10/12/2006	<u>65</u>	Pending Order (Ex Parte) related documents(s): <u>64</u> Ex Parte Application for Entry of Order Filed by: (Jubber tr, Gary) [Order# 62695] (EOD: 10/12/2006)
10/12/2006	<u>64</u>	Ex Parte Application for Entry of Order (related document(s): <u>57</u> Motion to Amend, Motion to Sell) Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 10/12/2006)
10/05/2006	<u>63</u>	Notice of Trustee's Intent to Abandon Property of the Estate: 1997 Ford Crown Victoria, 1997 Ford F350, 1991 Chevrolet R15. Filed by Douglas J. Payne on behalf of Gary E. Jubber tr (Payne, Douglas) (EOD: 10/05/2006)
09/16/2006	<u>62</u>	Certificate of Service Re: Order Service Date 09/16/2006. (Admin.) (EOD: 09/16/2006)
09/16/2006	<u>61</u>	Certificate of Service Re: Miscellaneous Pleadings Service Date 09/16/2006. (Admin.) (EOD: 09/16/2006)
09/14/2006	<u>60</u>	Clerk's Noticing Re: Trustee's Request (related document(s): <u>59</u> Notice of Hearing, <u>57</u> Motion to Amend, Motion to Sell) (ksh.) (EOD: 09/14/2006)
09/14/2006		The trustee (or USTR) requests that the previously filed (related document(s): <u>59</u> , <u>57</u>)be noticed to all creditors to the BNC. (Jubber tr, Gary) (EOD: 09/14/2006)
09/14/2006	<u>59</u>	Notice of Hearing (related document(s): <u>57</u> Amended Motion to Sell) Filed by Gary E. Jubber tr on behalf of Gary E. Jubber tr Hearing scheduled for 10/11/2006 at 02:00 PM at US Bankruptcy Court. (Jubber tr, Gary) (EOD: 09/14/2006)
09/14/2006	<u>58</u>	Order Granting ?Motion to Approve Sale of Properties Free and Clear of Liens and for Approval of Compromise Regarding Sale of Co-Owner's Interest and Homestead Exemption Claims (Residential Property and Maple Hills Condo) Filed by Gary E. Jubber tr (Related Doc # <u>39</u>) (bfg.) (EOD: 09/14/2006)
		Minute Entry Re: Motion to Approve Sale of Properties Free and

09/13/2006		Clear of Liens and for Approval of Compromise Regarding Sale of Co-Owner's Interest and Homestead Exemption Claims. Motion granted. Order executed with modifications as set forth on the record. Exhibits received. (JAB,cmw,kc) (related document (s): <u>57</u>) Appearances: Doug Payne ATTY FOR TR, Gary Jubber TR, Julie Bryant CR, Joe Covey DB (cmw) (EOD: 09/13/2006)
09/13/2006	<u>57</u>	Amended Motion to Approve Sale of Property of the Estate - 1955 Ford T-Bird (related document(s): <u>56</u> Motion to Approve Sale of Property of the Estate)Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 09/13/2006)
09/12/2006	<u>56</u>	Motion to Approve Sale of Property of the Estate - 1955 Ford T-Bird Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 09/12/2006)
09/08/2006	<u>55</u>	Response to (related document(s): <u>39</u> Motion to Sell,) Filed by Allen Grazer (Bryan, Julie) (EOD: 09/08/2006)
08/31/2006	<u>54</u>	Certificate of Service Re: Order Service Date 08/31/2006. (Admin.) (EOD: 08/31/2006)
08/29/2006	<u>53</u>	Order Granting Trustee's Application to Employ Professional; Paul W. Thronsdn, MAI and Appraisal Group, Inc. as Appraiser. (related document(s): <u>45</u> Application to Employ as a Professional) (ksh,) (EOD: 08/29/2006)
08/27/2006	<u>52</u>	Certificate of Service Re: Order Service Date 08/27/2006. (Admin.) (EOD: 08/27/2006)
08/25/2006	<u>51</u>	Order Granting Trustee's Application to Employ Professional; D. Kip Swan as Real Estate Agent. (related document(s): <u>48</u> Application to Employ as a Professional) (ksh,) (EOD: 08/25/2006)
08/24/2006		Deferred Adversary Fee. \$250.00. 06-2449. (clo,) Modified on 11/2/2007 (clo,). (EOD: 10/29/2007)
08/24/2006		Complaint by on behalf of Gary E. Jubber against Gordon A. Jones <u>06-02449</u> ; Nature of Suit(s): 424 (Obj/Revocation Discharge 727) , Fee Amount DEFERRED . Filed by on behalf of Gary E. Jubber . (Payne, Douglas) Modified on 8/24/2006 (ksh,). Modified on 8/25/2006 (clo,). (EOD: 08/24/2006)
08/17/2006	<u>50</u>	Pending Order (Ex Parte) related documents(s): <u>48</u> Application to Employ as a Professional Filed by: (Jubber tr, Gary) [Order# 59240] (EOD: 08/17/2006)

08/17/2006	<u>49</u>	Affidavit of D. Kip Swan (related document(s): <u>48</u> Application to Employ as a Professional) Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 08/17/2006)
08/17/2006	<u>48</u>	Application to Employ D. Kip Swan as Real Estate Agent Filed By Trustee. (Jubber tr, Gary) (EOD: 08/17/2006)
08/17/2006	<u>47</u>	Pending Order (Ex Parte) related documents(s): <u>45</u> Application to Employ as a Professional Filed by: (Jubber tr, Gary) [Order# 59239] (EOD: 08/17/2006)
08/17/2006	<u>46</u>	Verified Statement of Paul W. Throndsen in Support of Trustee's Application for Authority to Employ Appraiser (related document (s): <u>45</u> Application to Employ as a Professional) Filed by Gordon A. Jones (Jubber tr, Gary) (EOD: 08/17/2006)
08/16/2006	<u>45</u>	Application to Employ Paul W. Throndsen, MAI and Appraisal Group, Inc. as Appraiser Filed By Trustee. (Jubber tr, Gary) (EOD: 08/16/2006)
08/14/2006	<u>44</u>	Supplemental Certificate of Service (related document(s): <u>43</u> Certificate of Service Re: Miscellaneous Pleadings) Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 08/14/2006)
08/12/2006	<u>43</u>	Certificate of Service Re: Miscellaneous Pleadings Service Date 08/12/2006. (Admin.) (EOD: 08/12/2006)
08/11/2006	<u>42</u>	Amended Notice of Appearance and Request for Notice Filed by Lincoln W. Hobbs , on behalf of Allen Grazer (Bryan, Julie) (EOD: 08/11/2006)
08/10/2006	<u>41</u>	Clerk's Noticing Re: Trustee's Request (related document(s): <u>40</u> Notice of Hearing, <u>39</u> Motion to Sell,) (ksh,) (EOD: 08/10/2006)
08/10/2006		The trustee (or USTR) requests that the previously filed (related document(s): <u>40</u> , <u>39</u>)be noticed to all creditors to the BNC. (Jubber tr, Gary) (EOD: 08/10/2006)
08/10/2006	<u>40</u>	Notice of Hearing (related document(s): <u>39</u> Motion to Approve Sale of Properties Free and Clear of Liens and for Approval of Compromise Regarding Sale of Co-Owner's Interest and Homestead Exemption Claims (Residential Property and Maple Hills Condo)) Filed by Gary E. Jubber tr on behalf of Gary E. Jubber tr Hearing scheduled for 9/13/2006 at 02:00 PM at US Bankruptcy Court. (Jubber tr, Gary) (EOD: 08/10/2006)
		Motion to Approve Sale of Properties Free and Clear of Liens and

08/10/2006	<u>39</u>	for Approval of Compromise Regarding Sale of Co-Owner's Interest and Homestead Exemption Claims (Residential Property and Maple Hills Condo) Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 08/10/2006)
07/28/2006	<u>38</u>	Certificate of Service Re: Order Service Date 07/28/2006. (Admin.) (EOD: 07/28/2006)
07/28/2006		Complaint by Allen Grazer against Gordon A. Jones <u>06-02411</u> ; Nature of Suit(s): 424 (Obj/Revocation Discharge 727) , Fee Amount \$ 250. Filed by Allen Grazer . (Bryan, Julie) (EOD: 07/28/2006)
07/27/2006	<u>37</u>	Certificate of Service Re: Order Service Date 07/27/2006. (Admin.) (EOD: 07/27/2006)
07/27/2006	<u>36</u>	Trustee's Objection to Motion for Relief from Automatic Stay filed by Trustee Re: (related document(s): <u>25</u> Motion for Relief From Stay). (Jubber tr, Gary) (EOD: 07/27/2006)
07/26/2006		Set Deadline - Last Date to Oppose Discharge. (related document (s): <u>35</u> Order on Motion to Extend Time) Last day to oppose discharge or dischargeability is 8/25/2006. (ksh,) (EOD: 07/26/2006)
07/26/2006	<u>35</u>	Order Granting Motion to Extend Time to File Objections to Discharge. (Related Doc # <u>32</u>) (ksh,) (EOD: 07/26/2006)
07/25/2006	<u>34</u>	Order Granting Motion to Extend Time to Oppose Discharge (Related Doc # <u>30</u>) Last day to oppose discharge or dischargeability is 7/31/2006. (ksh,) (EOD: 07/25/2006)
07/25/2006	<u>33</u>	Pending Order (Ex Parte) related documents(s): <u>32</u> Stipulated Motion for Extension of Time to File Objections to Discharge Filed by: (Jubber tr, Gary) [Order# 57763] (EOD: 07/25/2006)
07/25/2006	<u>32</u>	Stipulated Motion for Extension of Time to File Objections to Discharge Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 07/25/2006)
07/21/2006	<u>31</u>	Pending Order (Agreed to/Stipulated) related documents(s): <u>30</u> Motion to Extend Time to Oppose Discharge Filed by: (Bryan, Julie) [Order# 57728] (EOD: 07/21/2006)
07/21/2006	<u>30</u>	Stipulated Motion to Extend Time to Oppose Discharge Filed by Allen Grazer (Bryan, Julie) (EOD: 07/21/2006)

07/18/2006		Complaint by on behalf of Allen F. Grazer against Gordon A. Jones , Linda G. Jones , Cheryl Gudmundson , G. Scott Jones , Jason Jones , GS Jones Construction, Inc. , J & J Livestock, LLC , Richard H. Barney , Renae Carnon Barney , Renae Carnon Barney Family Partnership , Rochelle C. Barney , Richillyn Woodin , Linda G. Jones Family Partnership , John Does 1 Through 20 <u>06-02395</u> ; Nature of Suit(s): 459 (Notice of Removal) , Fee Amount DEFERRED \$ 250. Filed by on behalf of Allen F. Grazer . (Jubber tr, Gary) Modified on 7/18/2006 (ksh.). (EOD: 07/18/2006)
07/18/2006		Complaint by on behalf of Allen F. Grazer against Gordon A. Jones , Linda G. Jones , J & J Livestock, LLC , John Does 1 Through 20 <u>06-02394</u> ; Nature of Suit(s): 459 (Notice of Removal) , Fee Amount DEFERRED \$ 250. Filed by on behalf of Allen F. Grazer . (Jubber tr, Gary) Modified on 7/18/2006 (ksh.). (EOD: 07/18/2006)
07/17/2006	<u>29</u>	Notice of Removal of Civil Action by Trustee (Civil No. 020700570CN, pending in the Second Judicial District Court, Davis County, Farmington Department, State of Utah) Filed by Gary E. Jubber tr on behalf of Gary E. Jubber tr (Jubber tr, Gary) (EOD: 07/17/2006)
07/17/2006	<u>28</u>	Notice of Removal of Civil Action by Trustee (Civil No. CV-2005-183, pending in the Sixth Judicial District Court, Franklin County, State of Idaho) Filed by Gary E. Jubber tr on behalf of Gary E. Jubber tr (Jubber tr, Gary) (EOD: 07/17/2006)
07/17/2006	<u>27</u>	Notice of Appearance and Request for Notice Filed by Julie A. Bryan on behalf of Allen Grazer (Bryan, Julie) (EOD: 07/17/2006)
07/17/2006		Receipt of filing fee for Motion for Relief From Stay(06-21277) [motion,mrlfsty] (150.00) (Lish, John). Receipt number 4803693, amount 150.00. (U.S. Treasury) (EOD: 07/17/2006)
07/17/2006	<u>26</u>	Notice of Hearing (related document(s): <u>25</u> Motion for Relief From Stay) Filed by John W. Lish on behalf of Countrywide Home Loans Inc. Hearing scheduled for 8/17/2006 at 09:30 AM at US Bankruptcy Court. (Lish, John) (EOD: 07/17/2006)
07/17/2006	<u>25</u>	Motion for Relief From Stay. Fee Amount: \$150, Filed by Countrywide Home Loans Inc. (Lish, John) (EOD: 07/17/2006)
06/17/2006	<u>24</u>	Certificate of Service Re: Miscellaneous Pleadings Service Date 06/17/2006. (Admin.) (EOD: 06/17/2006)

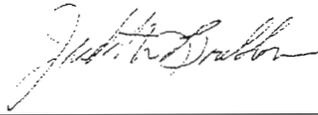
06/15/2006		Clerk's Notice For Creditors to File Claims. Proofs of Claims due by 9/15/2006. (ksh,) (EOD: 06/15/2006)
06/14/2006		Trustee's Request for Creditors to File Claims filed by Trustee. (Jubber tr, Gary) (EOD: 06/14/2006)
06/07/2006	<u>23</u>	Certificate of Service Re: Order Service Date 06/07/2006. (Admin.) (EOD: 06/07/2006)
06/05/2006	<u>22</u>	Order Granting Trustee's Application to Employ Gil A. Miller and the firm of PricewaterhouseCoopers, L.L.P. as Professional Accountants. (related document(s): <u>16</u> Application to Employ as a Professional) (ksh,) (EOD: 06/05/2006)
06/02/2006	<u>21</u>	Certificate of Service Re: Order Service Date 06/02/2006. (Admin.) (EOD: 06/02/2006)
05/31/2006	<u>20</u>	Order Granting Trustee's Motion to Employ Gary E. Jubber and the firm of Fabian & Clendenin as Attorney. (related document (s): <u>13</u> Application to Employ) (ksh,) (EOD: 05/31/2006)
05/31/2006	<u>19</u>	Notice of Continued 341 Examination Filed by Gary E. Jubber tr on behalf of Gary E. Jubber tr (Jubber tr, Gary) (EOD: 05/31/2006)
05/25/2006	<u>18</u>	Pending Order (Ex Parte) related documents(s): <u>16</u> :Application to Employ as a Professional (Jubber tr, Gary) [Order# 54051] (EOD: 05/25/2006)
05/25/2006	<u>17</u>	Affidavit of Gil A. Miller (related document(s): <u>16</u> Application to Employ as a Professional) Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 05/25/2006)
05/25/2006	<u>16</u>	Application to Employ PricewaterhouseCoopers, L.L.P. as Accountant Filed By Trustee. (Jubber tr, Gary) (EOD: 05/25/2006)
05/18/2006	<u>15</u>	Pending Order (Ex Parte) related documents(s): <u>13</u> :Application to Employ (Jubber tr, Gary) [Order# 53553] (EOD: 05/18/2006)
05/18/2006	<u>14</u>	Affidavit of Gary E. Jubber (related document(s): <u>13</u> Application to Employ) Filed by Gary E. Jubber tr (Jubber tr, Gary) (EOD: 05/18/2006)
05/18/2006	<u>13</u>	Application to Employ Gary E. Jubber as Attorney Filed By Trustee. (Jubber tr, Gary) (EOD: 05/18/2006)

05/08/2006		Receipt of filing fee for Amended Matrix (FEE)(06-21277) [genaty,genamtrx] (26.00) (Covey, Joseph). Receipt number 4676463, amount 26.00. (U.S. Treasury) (EOD: 05/08/2006)
05/08/2006	<u>12</u>	Amended Matrix correcting addresses of creditors filed by Debtor (s). (Covey, Joseph) (EOD: 05/08/2006)
05/08/2006	<u>11</u>	Amended Matrix adding creditors filed by Debtor(s). (Covey, Joseph) (EOD: 05/08/2006)
05/03/2006	<u>10</u>	Payment Advices/Evidences of Payment filed by Debtor. (Covey, Joseph) (EOD: 05/03/2006)
05/03/2006	<u>9</u>	Disclosure of Compensation of Attorney for Debtor (per BR 2016) filed by Debtor(s). (Covey, Joseph) (EOD: 05/03/2006)
05/03/2006	<u>8</u>	Statistical Summary of Certain Liabilities (Covey, Joseph) (EOD: 05/03/2006)
05/03/2006	<u>7</u>	Schedules filed by Debtor(s). (Covey, Joseph) (EOD: 05/03/2006)
05/03/2006	<u>6</u>	Statement of Financial Affairs filed by Debtor(s). (Covey, Joseph) (EOD: 05/03/2006)
04/29/2006	<u>5</u>	341 Meeting Notice (see image for details) and BNC Certificate of Service. Service Date 04/29/2006. (Admin.) (EOD: 04/29/2006)
04/18/2006		First Meeting of Creditors & Notice of Appointment of Interim Trustee Gary E. Jubber tr with 341(a) meeting to be held on 05/23/2006 at 405 South Main Objections for Discharge due by 07/25/2006. (EOD: 04/18/2006)
04/18/2006		Creditor(s) uploaded (17 creditors). (ksh,) (EOD: 04/18/2006)
04/18/2006	<u>4</u>	Amended Matrix Filed by Gordon A. Jones (Lochhead, Robert) (EOD: 04/18/2006)
04/18/2006	<u>3</u>	Statement of Social Security Number(s) Filed by Gordon A. Jones (Lochhead, Robert) (EOD: 04/18/2006)
04/18/2006	<u>2</u>	Credit Counseling Agency Briefing Certificate (Prefiling) Filed by Gordon A. Jones (Lochhead, Robert) (EOD: 04/18/2006)
		Receipt of filing fee for Voluntary Petition (Chapter 7)(06-21277)

04/18/2006		[misc.volp7a] (299.00). Receipt number 4634645, amount 299.00. (U.S. Treasury) (EOD: 04/18/2006)
04/18/2006	<u>1</u>	Chapter 7 Voluntary Petition. Filed by Gordon A. Jones (Lochhead, Robert) (EOD: 04/18/2006)

PACER Service Center			
Transaction Receipt			
02/25/2009 15:38:10			
PACER Login:	ro0102	Client Code:	
Description:	Docket Report	Search Criteria:	06-21277 Fil or Ent: filed Doc From: 0 Doc To: 99999999 Term: included Format: html
Billable Pages:	8	Cost:	0.64

The below described is SIGNED.



Dated: January 20, 2009

JUDITH A. BOULDEN
U.S. Bankruptcy Judge



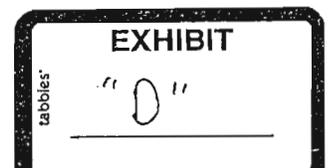
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

<p>In re:</p> <p>GORDON A. JONES,</p> <p style="text-align: right;">Debtor.</p>	<p>Bankruptcy Number: 06-21277</p> <p>Chapter 7</p>
<p>ALLEN GRAZER,</p> <p style="text-align: right;">Plaintiff,</p>	<p>Adversary Proceeding No. 06-2411</p>
<p>v.</p> <p>GORDON A. JONES,</p> <p style="text-align: right;">Defendant.</p>	<p>Judge Judith A. Boulden</p>

ORDER DISMISSING ADVERSARY PROCEEDING

On April 23, 2007, the Court entered its Order Governing Scheduling and Preliminary Matters which required that the parties file a proposed pretrial order on or before May 27, 2008 or the above-captioned adversary proceeding would be dismissed. This deadline was extended until January 15, 2009 by the Court's Order Amending Order Governing Scheduling and Preliminary Matters entered on May 29, 2008. The parties have failed to file a proposed pretrial

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order, and no further extension of the deadline was timely sought. Accordingly, it is hereby

ORDERED that the above-captioned adversary proceeding is **DISMISSED**, and the final pretrial conference set for January 26, 2009 is **STRICKEN** from the Court's calendar.

END OF DOCUMENT

_____000000_____

SERVICE LIST

Service of the foregoing **ORDER DISMISSING ADVERSARY PROCEEDING** will be effected through the Bankruptcy Noticing Center to each party listed below.

Julie A. Bryan
Cohne Rappaport & Segal
257 East 200 South, Suite 700
P.O. Box 11008
Salt Lake City, UT 84147-0008
Counsel for Plaintiff

Joseph M.R. Covey
Parr Brown Gee & Loveless
185 South State Street
Suite 800
Salt Lake City, UT 84111
Counsel for Defendant

Form **RAB18** (Official Form 18)(10/05)

United States Bankruptcy Court

District of Utah
Case No. 06-21277
Chapter 7

In re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Gordon A. Jones
dba Gordon A. Jones d/b/a J & J Livestock,
dba Gordon Jones Construction, L.C.
235 West 1400 North
Bountiful, UT 84010
U.S.A.

Social Security No.:



Employer's Tax I.D. No.:

Petition date: 4/18/06

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge,

IT IS ORDERED:

The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

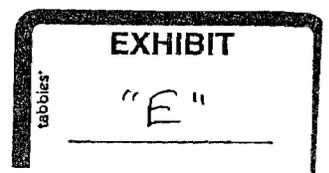
BY THE COURT

Dated: 1/20/09

Judith A. Boulden
United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

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FORM RAB18 continued (10/05)

**EXPLANATION OF BANKRUPTCY DISCHARGE
IN A CHAPTER 7 CASE**

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. [*In a case involving community property*: There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts that are Not Discharged

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts incurred to pay nondischargeable taxes (applies to cases filed on or after 10/17/2005);
- c. Debts that are domestic support obligations;
- d. Debts for most student loans;
- e. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle, vessel, or aircraft while intoxicated;
- g. Some debts which were not properly listed by the debtor;
- h. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- i. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.
- j. Debts owed to certain pension, profit sharing, stock bonus, other retirement plans, or to the Thrift Savings Plan for federal employees for certain types of loans from these plans (applies to cases filed on or after 10/17/2005).

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.