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

COMMODITY FUTURES TRADING
COMMISSION, and

STATE OF UTAH DIVISION OF
SECURITIES, through Attorney General
Sean D. Reyes

Plaintiffs,

v.

RUST RARE COIN INC., a Utah corporation,
GAYLEN DEAN RUST, an individual,
DENISE GUNDERSON RUST, an individual,
JOSHUA DANIEL RUST, an individual,

Defendants;

and

ALEESHA RUST FRANKLIN, an individual,
R LEGACY RACING INC, a Utah
corporation, R LEGACY ENTERTAINMENT
LLC, a Utah limited liability company, and R
LEGACY INVESTMENTS LLC, a Utah
limited liability company.

Relief Defendants.

**ORDER GRANTING FIFTH INTERIM
FEE APPLICATION**

Civil No. 2:18-cv-00892-TC

Judge Tena Campbell

Magistrate Judge Dustin Pead

Before the Court is the fifth interim fee application (the “Fee Application”), Dkt. No. 292, submitted by Jonathan O. Hafen in his capacity as the Court-Appointed Receiver for Rust Rare Coin Inc., Gaylen Dean Rust, R Legacy Racing Inc., R Legacy Entertainment LLC, R Legacy Investments LLC, Denise Gunderson Rust, and Joshua Daniel Rust (collectively, “Defendants”) seeking approval by the Court for the expenses incurred by the Receiver; the Receiver’s counsel,

Parr Brown Gee & Loveless (“Parr Brown”); the Receiver’s accountants, Berkeley Research Group (“BRG”), the Conflict Receiver, Wayne Klein, and his legal counsel, Manning Curtis Bradshaw & Bednar, for the period of October 1, 2019 through December 31, 2019 (the “Application Period”), and authorization to pay all allowed fees and expenses from funds of the Receivership Estate.

Based on the Fee Application and accompanying exhibits, and for good cause shown,

IT IS HEREBY ORDERED that:

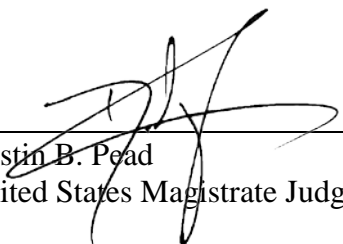
1. The Fee Application is GRANTED; and
2. The Receiver is hereby authorized to pay the fees and expenses incurred by the

Receiver, Parr Brown, BRG, the Conflict Receiver and his counsel as follows:

- | | | |
|----|-------------------------------------|--|
| a. | Receiver: | \$36,864 for fees. |
| b. | Parr Brown: | \$545,416.50 for fees and
\$24,787.14 for out-of-pocket expenses. |
| c. | BRG: | \$276,668 for fees and
\$1,331.29 for out-of-pocket expenses. |
| d. | Conflict Receiver:
(and counsel) | \$5,161 for fees and
\$400 for out-of-pocket expenses. |

3. The Receiver and his professionals will not take any fees or be reimbursed for any expenses from the Receivership Estate until after the Receiver recovers at least three times the amount of the fees for the Estate, at which time the approved fees and expenses shall be paid.

DATED this 10 March 2020.



Dustin B. Pead
United States Magistrate Judge