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*Attorneys for Jonathan O. Hafen, Receiver*

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

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JONATHAN O. HAFEN, in his capacity as  
Court-appointed Receiver,

Plaintiff,

v.

SUSAN FAMULARY, in her capacity as  
executor of the estate of Fern Oberhansly;  
JOHN OBERHANSLY, in his individual  
capacity; MARK OBERHANSLY, in his  
individual capacity; SALLY BASTIAN, in  
her individual capacity; and SUSAN  
FAMULARY, in her individual capacity,

Defendants.

**STIPULATED MOTION TO DISMISS  
LAWSUIT WITH PREJUDICE**

Case No. 2:19-cv-00627-TC

Judge Tena Campbell

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Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Jonathan O. Hafen (the “Receiver”), in his capacity as Court-appointed Receiver over the assets of Rust Rare Coin, Inc. (“RRC”), Gaylen Dean Rust, R Legacy Racing Inc., R Legacy Entertainment LLC, and R Legacy Investments LLC (collectively, the “Receivership Defendants”), and the Estate of Fern B. Oberhansly (“Fern’s Estate”), Susan O. Famulary (“Susan”), the Bastian Family Trust and Sally Bastian (together, “Sally”), John D. Oberhansly (“John”), and, Mark (Bo) Oberhansly (“Bo”) (collectively the “Oberhanslys”) through their respective undersigned counsel, hereby

stipulate to the dismissal of this lawsuit with prejudice, each party to bear its own costs and attorney fees.

On June 19, 2021 the Receiver and the Oberhanslys entered into a Settlement Agreement (the “Agreement”). The Agreement provided that upon receipt of full payment of certain net winnings received by Susan, Sally and the Estate, the Receiver would move to dismiss with prejudice the instant lawsuit.

This stipulated dismissal, acts to dismiss the lawsuit in its entirety, with prejudice.

Dated this \_\_\_\_\_ day of June, 2021.

PARR BROWN GEE & LOVELESS

/s/ Joseph M.R. Covey  
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Cynthia D. Love  
*Attorneys for Jonathan O. Hafen, Receiver*

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individual capacity; SALLY BASTIAN, in  
her individual capacity; and SUSAN  
FAMULARY, in her individual capacity,

Defendants.

**[Proposed] ORDER GRANTING  
STIPULATED MOTION TO DISMISS  
WITH PREJUDICE**

Case No. 2:19-cv-00627-TC

Judge Tena Campbell

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Before the Court is the Parties' Stipulated Motion to Dismiss Lawsuit with Prejudice (the "Motion"). For the reasons set forth in the Joint Motion and for good cause appearing,

IT IS HEREBY ORDERED that the Motion is **GRANTED**. The matter is dismissed with prejudice, each party to bear its own fees and costs.

**DATED** this \_\_\_\_ day of July, 2021.

**BY THE COURT:**

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Tena Campbell  
U.S. District Judge