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*Attorneys for John A. Beckstead as Court-Appointed Receiver*

IN THE THIRD JUDICIAL DISTRICT COURT  
FOURTH JUDICIAL DISTRICT, UTAH COUNTY, PROVO

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JOYCE GODDARD, an individual,

Plaintiff,

vs.

MANAGEMENT SOLUTIONS, INC.;  
WENDELL A. JACOBSON; ALLEN R.  
JACOBSON; PLUM TREE ASSOCIATES;  
PLUM TREE PARTNERSHIP; RICHARD A.  
HAWS; SHOPKO STORES INC.; SUN  
CAPITAL PARTNERS, INC.; and DOES 1-  
50, INCLUSIVE,

Defendants.

**MOTION TO STAY PROCEEDINGS**

Civil Action No. 120401698

Judge Samuel D. McVey

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John A. Beckstead, the court-appointed receiver for defendant Management Solutions, Inc., and related entities (the “Receiver”), moves the Court for an order staying this action in its entirety.

By the attached December 15, 2011 Order Appointing Receiver, Freezing Assets and Other Relief (the “Appointment Order”), the United States District Court for the District of Utah appointed the Receiver and also enjoined and stayed all litigation against Receivership entities, including defendant Management Solutions, Inc.:

33. As set forth in detail below, the following proceedings, excluding the instant proceeding and all police or regulatory actions and actions of the Commission related to the above-captioned enforcement action, are stayed until further Order of this Court:

All civil legal proceedings of any nature, including, but not limited to, bankruptcy proceedings, arbitration proceedings, foreclosure actions, default proceedings, or other actions of any nature involving: (a) the Receiver, in his capacity as Receiver; (b) any Receivership Property, wherever located; (c) any of the Receivership Defendants, including subsidiaries and partnerships; or, (d) any of the Receivership Defendants’ past or present officers, directors, managers, agents, or general or limited partners sued for, or in connection with, any action taken by them while acting in such capacity of any nature, whether as plaintiff, defendant, third-party plaintiff, third-party defendant, or otherwise (such proceedings are hereinafter referred to as “Ancillary Proceedings”).

(Ex. A at 12-13 § VIII.)

In light of the Appointment Order, the Receiver requests that this Court stay this litigation during the pendency of the Receivership and until further notice to the Court.

A proposed Order Granting Motion to Stay Proceedings is submitted herewith.

RESPECTFULLY SUBMITTED this 9th day of May, 2013.

HOLLAND & HART, LLP

*/s/ Cory A. Talbot*

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Cory A. Talbot  
*Attorneys for John A. Beckstead as Court-Appointed Receiver*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of May, 2013, I caused a true and correct copy of the foregoing to be served in the following manner upon the addressee(s) listed below:

<input checked="" type="checkbox"/>	U.S. Mail, postage prepaid	Stephen Austin
<input type="checkbox"/>	Hand Delivery	Law Offices of Stephen Austin
<input type="checkbox"/>	Facsimile	336 North 930 East
<input type="checkbox"/>	Overnight courier	Lindon, UT 84042
<input type="checkbox"/>	NEF and/or E-Mail	Facsimile: (661) 328-1318

*/s/ Tish Howell*

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*Attorneys for John A. Beckstead as Receiver  
for Management Solutions, Inc., Wendell  
A. Jacobson and Allen R. Jacobson*

IN THE THIRD JUDICIAL DISTRICT COURT  
FOURTH JUDICIAL DISTRICT, UTAH COUNTY, PROVO

JOYCE GODDARD, an individual,  
  
Plaintiff,

vs.

MANAGEMENT SOLUTIONS, INC.;  
WENDELL A. JACOBSON; ALLEN R.  
JACOBSON; PLUM TREE ASSOCIATES;  
PLUM TREE PARTNERSHIP; RICHARD A.  
HAWS; SHOPKO STORES INC.; SUN  
CAPITAL PARTNERS, INC.; and DOES 1-  
50, INCUSIVE,  
  
Defendants.

**ORDER GRANTING  
MOTION TO STAY PROCEEDINGS**

Civil Action No. 120401698

Judge Samuel D. McVey

John A. Beckstead, the court-appointed receiver for defendant Management Solutions, Inc., and related entities (the “Receiver”), has moved the Court for an order staying this litigation during the pendency of the Receivership established by the United States District Court for the

District of Utah in *Securities and Exchange Commission v. Management Solutions, Inc., et al.*, Civil Action No. 2:11-cv-01165, and until further notice to the Court.

Based upon the submissions and good cause appearing, the Court HEREBY ORDERS that this litigation is stayed during the pendency of the Receivership established by the United States District Court for the District of Utah in *Securities and Exchange Commission v. Management Solutions, Inc., et al.*, Civil Action No. 2:11-cv-01165, and until further notice to the Court.

Dated this \_\_\_\_ day of May, 2013.

UNITED STATES DISTRICT COURT

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Judge Bruce S. Jenkins

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