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Attorneys for Court-Appointed Receiver,
Diane A. Thompson

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**AMERICAN PENSION SERVICES, INC.,
a Utah Corporation and CURTIS L.
DeYOUNG, an individual,**

Defendants.

**MOTION FOR EXTENSION OF TIME
TO SUBMIT RESPONSE TO
COMMENTS TO PROPOSED PLAN OF
LIQUIDATION AND TO SUBMIT
MODIFIED PLAN OF LIQUIDATION**

Case No.: 2:14-CV-00309-RJS-DBP

**Judge Robert J. Shelby
Magistrate Judge Dustin B. Pead**

Diane Thompson, the Court-Appointed Receiver (the “Receiver”) of American Pension Services, Inc. (“APS”), hereby requests an extension of time to submit her response to comments concerning the Proposed Plan of Liquidation and to submit a modified Plan of Liquidation, if any.

On September 17, 2014, the Court entered an Order Setting Deadlines Pertaining to Receiver's Proposed Plan of Liquidation (Dkt. 221). The Order scheduled the following events:

1. The Receiver to provide notice of the Proposed Plan of Liquidation to all APS clients and creditors by 9/19/14;
2. All APS clients/creditors/interested parties to submit written responses and/or objections to the Proposed Plan by 10/20/14;
3. The Receiver to collect, categorize, and submit to the Court comments from all those who submitted responses and/or objections to the Proposed Plan of Liquidation no later than 11/4/2014;
4. The Receiver to submit a response to the comments received and a revised Plan of Liquidation, if any, by 11/21/14; and
5. A Hearing on the Proposed Plan on 12/2/14 at 2 pm.

The Receiver timely complied with numbers 1 and 3 above and is currently working on complying with number 4-- preparation of a response to the comments received and evaluation of whether to submit a revised Proposed Plan of Liquidation. However, due to the numerous comments received, the complexities of the comments in relation to the Proposed Plan and potential modifications to the Proposed Plan, the Receiver respectfully requests an additional five days, or until November 26, 2014 to submit her response to the comments and a revised Plan of Liquidation, if any. A proposed order is submitted concurrently herewith.

DATED this 14th day of November 2014.

/s/ Mark R. Gaylord

Mark R. Gaylord, Esq.

Melanie J. Vartabedian, Esq.

Tesia N. Stanley, Esq.

Scott S. Humphreys, Esq. (*admitted pro hac vice*)

BALLARD SPAHR LLP

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Thompson

CERTIFICATE OF SERVICE

I hereby certify that a true and correct of copy of the foregoing **MOTION FOR EXTENSION OF TIME TO SUBMIT RESPONSE TO COMMENTS TO PROPOSED PLAN OF LIQUIDATION AND TO SUBMIT MODIFIED PLAN OF LIQUIDATION** was

served to the following this 14th day of November 2014, in the manner set forth below:

Through the CM/ECF System for the U.S. District Court

Hand Delivery

U.S. Mail, postage prepaid

E-mail: ahardenbrook@swlaw.com; docket_slc@swlaw.com; jpollard@swlaw.com; moric@sec.gov; wadleyd@sec.gov; #SLRO-Docket@sec.gov; dleta@swlaw.com; docket_slc@swlaw.com; wsmart@swlaw.com; gbh@pkhlawyers.com; dh@pkhlawyers.com; jt@pkhlawyers.com; john@johnbagleylaw.com; jchandler@djplaw.com; cfrandsen@djplaw.com; judsonpitts@hotmail.com; judson@wimmerpitts.com; krw@scmlaw.com; ec@scmlaw.com; intakeclerk@scmlaw.com; markjgregersen@hotmail.com; feindtp@sec.gov; pmoxley@djplaw.com; cwatters@djplaw.com; tburns@djplaw.com; ajackson@djplaw.com; rpahnke@djplaw.com; utfedcourt@djplaw.com; saltlakedocketclerk@ballardspahr.com

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**[PROPOSED] ORDER GRANTING
MOTION FOR EXTENSION OF TIME
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COMMENTS TO PROPOSED PLAN OF
LIQUIDATION AND TO SUBMIT
MODIFIED PLAN OF LIQUIDATION**

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**Judge Robert J. Shelby
Magistrate Judge Dustin B. Pead**

Based on the Receiver Diane A. Thompson's Motion for Extension of Time to Submit Response to Comments to Proposed Plan of Liquidation and to Submit Modified Plan of Liquidation, and good cause appearing therefore, it is **HEREBY ORDERED THAT:**

1. The Receiver shall have until November 26, 2014 to submit her response to comments received to Proposed Plan of Liquidation and to submit a modified Plan of Liquidation, if any.

DATED this _____ day of _____, 2014.

BY THE COURT:

Honorable Robert J. Shelby
United States District Court