

Mark W. Pugsley (8253)
Jared N. Parrish (11743)
Brent D. Wride (5163)
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Telephone: (801) 532-1500
Fax: (801) 532-7543
mpugsley@rqn.com
jparrish@rqn.com
bwride@rqn.com

Attorneys for Intervenors and Putative Class Representatives

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.

NOTICE OF APPEAL

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

Judge Robert J. Shelby
Magistrate Judge Dustin B. Pead

Pursuant to Rule 3 of the Federal Rules of Appellate Procedure, Richard Seiler, Michelle Seiler, and Christa Zaro (the “**Intervenors**”), on their own behalf and as representatives of a

putative class of similarly situated individuals, hereby appeal to the United States Court of Appeals for the Tenth Circuit from:

- “Findings of Fact, Conclusions of Law, and Order on Motions to: (1) Intervene (Dkt. 605); and (2) Approve Settlement with First Utah Bank and for a Claims Bar Order ((Dkt. 618)” [**Docket No. 683**], which was entered by the Court on December 23, 2015; and
- “Claims Bar Order” [**Docket No. 684**], which was entered by the Court on December 23, 2015.

DATED this 19th day of January, 2016.

RAY QUINNEY & NEBEKER P.C.

/s/ Brent D. Wride

Brent D. Wride

*Attorneys for Intervenors and Putative Class
Representatives*

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of January, 2016, I filed the foregoing **NOTICE OF APPEAL** with the Clerk of Court using the CM/ECF system which sent notification of such filing to all parties that have entered an electronic appearance, including the following:

Andrew V. Hardenbrook
ahardenbrook@swlaw.com
docket_slc@swlaw.com
jpollard@swlaw.com

Blake D. Miller
miller@millertoone.com
mahoney@millertoone.com
miller@ecf.inforuptcy.com
miller.blaked@gamil.com

Cheryl M. Mori
moric@sec.gov

Craig H. Howe
howe@millertoone.com
mahoney@millertoone.com

Daniel J. Wadley
wadleyd@sec.gov
#slro-docket@sec.gov

David E. Leta
delta@swlaw.com
docket_slc@swlaw.com
wsmart@swlaw.com

Gary E. Doctorman
gdoctorman@parsonsbehle.com
ecf@parsonsbehle.com

George B. Hofmann, IV
gbh@pkhlawyers.com
dh@pkhlawyers.com
jt@pkhlawyers.com

Jeffrey D. Steed
jsteed@kmclaw.com
mglaiser@kmclaw.com

Jeffrey Thomas Colemere
colemere@wgdlawfirm.com
nortensen@wgdlawfirm.com

John P. Bagley
john@johnbagleylaw.com

Joshua D. Chandler
jchandler@djplaw.com
cfrandsen@djplaw.com

Judson T. Pitts
judsonpitts@hotmail.com
judson@wimmerpitss.com

Kim R. Wilson
krw@scmlaw.com
ec@scmlaw.com
intakeclerk@scmlaw.com

Mark H. Gregersen
markjgregersen@hotmail.com

Mark R. Gaylord
gaylord@ballardspahr.com
goodalem@ballardspahr.com
saltlakedocketclerk@ballardspahr.com

Melanie J. Vartabedian
vartabedianm@ballardspahr.com
brownd@ballardspahr.com
saltlakedocketclerk@ballardspahr.com

Nien-Ping Wang
ian.wang@kunzlerlaw.com

Paul N. Feindt
feindtp@sec.gov

Paul T. Moxley
pmoxley@djplaw.com
cwatters@djplaw.com

R. Jeremy Adamson
jadamson@kunzlerlaw.com

Scott S. Humphreys
humphreyss@ballardspahr.com
goodalem@ballardspahr.com
saltlakedocketclerk@ballardspahr.com

Stephen K. Christiansen
steve@skclawfirm.com
jen@skclawfirm.com

Tesia N. Stanley
stanleyt@ballardspahr.com
saltlakedocketclerk@ballardspahr.com
swand@ballardspahr.com

Thomas J. Burns
tburns@djplaw.com
ajackson@djplaw.com

Z. Ryan Pahnke
rpahnke@djplaw.com
utfedcourt@djplaw.com

/s/ Patricia Brown
