

AFFIDAVIT OF LOST NOTE

STATE OF UTAH :
 : ss.:
 COUNTY OF SALT LAKE :

I, Diane A. Thompson, as Court-appointed Receiver (“Receiver”) of American Pension Services, Inc. and its related entities (collectively “APS”), being duly sworn, deposes and says:

1. I am the Court-appointed Receiver of APS. I was appointed Receiver of APS by the United States District Court for the District of Utah in the case of *SEC v. American Pension Services, Inc.*, No. 2:14-cv-00309-RJS-DPB (D. Utah Apr. 24, 2014).

2. APS, on behalf of [_____], is the Lender and Payee under the following described promissory note (the "Note")

Date:_____

Borrower(s)_____

Original payee:_____

Original Amount:_____

3. Lender is the legal and beneficial owner and holder of the Note. To the best of my personal knowledge, the Note has not been forgiven, discharged, satisfied, cancelled, assigned, subordinated, sold, transferred, encumbered, pledged, hypothecated by Lender or paid in full.

4. The original Note was lost and cannot be produced. The Note was not located after a thorough and diligent search that consisted of a complete search of institutional records of Lender. If the Lender locates the Note, the Lender agrees that it will not hereafter assign, transfer, pledge, hypothecate, encumber or otherwise dispose of the Note or any interest therein and it will promptly deliver the Note, duly indorsed to the Purchaser by the Lender, at the following address:

Purchaser Name: _____

Purchaser Address: _____

Purchaser Address: _____

5. Upon written request from the Purchaser, the Lender agrees to produce any and all records related to the Note. Such request shall be made no later than August 31, 2017.

6. This Affidavit is intended to be relied on only by Purchaser, its successors and assigns in connection with the purchase of the Note and the indebtedness evidenced thereby.

7. This Affidavit shall be governed by and construed in accordance with the laws of the State of Utah.

Lender

STATE OF UTAH :
: ss.:
COUNTY OF SALT LAKE :

On the _____ day of _____, 20__ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument.

Notary Public