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Attorneys for Receiver, R. Wayne Klein

UNITED STATES DISTRICT COURT

DISTRICT OF IDAHO

SECURITIES AND EXCHANGE)	Case No.: CV 09-075-E-EJL
COMMISSION,)	
)	
Plaintiff,)	
)	
and)	Case No.: CV 09-076-E-EJL
)	
COMMODITY FUTURES TRADING)	
COMMISSION,)	
)	
Plaintiff,)	The Honorable Edward J. Lodge
)	
vs.)	
)	
DAREN L. PALMER and TRIGON GROUP,)	NOTICE OF SETTLEMENT
INC., a Nevada Corporation,)	
)	
Defendants.)	
)	

R. Wayne Klein, the duly appointed Receiver (“Receiver”) for Trigon Group, Inc. (“Trigon”) and the assets of Daren L. Palmer (“Palmer”), hereby provides notice of his intent to finalize a settlement agreement with Capital One Bank (USA), N.A. (“Capital One”) pursuant to the terms described below.

SETTLEMENT

Daren Palmer used Trigon funds to pay expenses on a personal credit card issued by Capital One. Virtually all of the payments were for personal expenses. On December 17, 2010, the Receiver filed a lawsuit against Capital One, seeking the return of these payments. During the course of the litigation, the Court ruled that since the lawsuit was not filed within one year of the appointment of the Receiver, the Receiver could only recover payments made within the four year period before the lawsuit was filed. This reduced the potential recovery from Capital One to \$42,263.75.

On May 28, 2013, the Court granted the Receiver's motion for summary judgment. On July 12, 2013, the Court entered judgment in favor of the Receiver for the full \$42,263.75 plus prejudgment interest. On August 1, 2013, Capital One filed an appeal of the judgment. Subsequent to the filing of the appeal, the Receiver and Capital One negotiated a settlement.

On January 15, 2014, the Receiver and Capital One reached an agreement to settle the lawsuit and the appeal. Pursuant to the settlement, Capital One has paid \$55,500.00 to the Receiver in full settlement of the Receiver's claims. In return, Capital One will dismiss its appeal and the Receiver will file a satisfaction of judgment in his lawsuit against Capital One.

REVIEW BY SEC AND CFTC

The Receiver has given notice to the Securities and Exchange Commission and the Commodity Futures Trading Commission of this planned settlement. The SEC and CFTC have both informed the Receiver that they have no objections to the settlement.

PROCEDURE FOR ADDRESSING ANY OBJECTIONS TO THE SETTLEMENT

Objections, if any, to the settlement must be in writing and filed with this Court within ten (10) days of the date of the filing of this Notice of Settlement. If no objection has been filed

within ten (10) days, unless the Court orders otherwise, the Receiver will deem the settlement approved and move forward to implement its terms. In the event that an objection is filed, the Receiver will have the right to: (1) notify in writing the objecting person, the settling party, and the Court that the Receiver believes that the objection lacks merit and seek the approval of the Court notwithstanding such objection, or (2) notify in writing the objecting person, the settling parties, and the Court that the Receiver believes that the objection is valid, whereupon the settlement agreement will be deemed to be terminated.

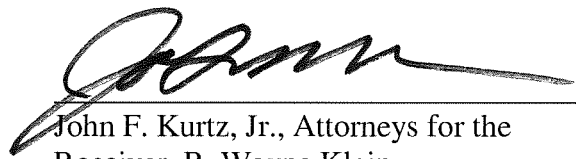
CONCLUSION

The Receiver believes the this settlement will provide benefits to the Receivership by bringing cash into the Receivership Estate and avoiding any further costs of litigation against Capital One.

DATED this 12th day of February, 2014.

HAWLEY TROXELL ENNIS & HAWLEY LLP

By



John F. Kurtz, Jr., Attorneys for the
Receiver, R. Wayne Klein

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of February, 2014, I electronically filed the foregoing NOTICE OF SETTLEMENT with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

Karen L. Martinez
Thomas M. Melton
Tanya Beard
Securities and Exchange Commission
15 West South Temple, Suite 1800
Salt Lake City, UT 84101
martinezk@sec.gov
himesm@sec.gov

*Counsel for Plaintiff Securities and Exchange
Commission*

Alison B. Wilson
John W. Dunfee
Division of Enforcement
Commodity Futures Trading Commission
1155 21st Street, N.W.
Washington, D.C. 20581
jdunfee@cftc.gov
awilson@cftc.gov

*Counsel for Plaintiff Commodity Futures
Trading Commission*


AND, I HEREBY CERTIFY that I have served the foregoing document to the following non-CM/ECF Registered Participants (list names and addresses):

Daren L. Palmer
Inmate #13952-023
Federal Prison Camp
PO Box 1000
Duluth, MN 55814
Defendant

U.S. Mail, Postage Prepaid
 Hand Delivered
 Overnight Mail
 E-mail
 Telecopy

Alan Conilogue
Deputy Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0031

Local Counsel for Plaintiffs



John F. Kurtz, Jr.