

John F. Kurtz, Jr., ISB No. 2396  
Matthew Gordon, ISB No. 8554  
Hawley Troxell Ennis & Hawley LLP  
877 Main Street, Suite 1000  
P.O. Box 1617  
Boise, ID 83701-1617  
Telephone: 208.344.6000  
Facsimile: 208.954.5232  
Email: [jkurtz@hawleytroxell.com](mailto:jkurtz@hawleytroxell.com)  
[mgordon@hawleytroxell.com](mailto:mgordon@hawleytroxell.com)

Attorneys for Receiver, R. Wayne Klein

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

---

SECURITIES AND EXCHANGE  
COMMISSION,

and

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiffs,

v.

DAREN L. PALMER and TRIGON  
GROUP, INC.

Civ. No. 09-075-E-EJL (dks)

Civ. No. 09-076-E-EJL (dks)

The Honorable Edward J. Lodge

**RECEIVER'S MOTION FOR  
APPROVAL TO PAY THIRD  
INTERIM DISTRIBUTION**

---

R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") of Trigon Group, Inc. ("Trigon") and all the assets of Daren L. Palmer (the "Receivership Entities" and/or "Palmer"), hereby moves for Court permission to make a third interim distribution of funds to allowable claimants ("Claimants"). Approval of this Motion will allow the Receiver to distribute to

Claimants \$800,000.00 of funds currently in the Receivership Estate.

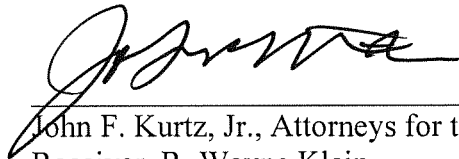
This Motion is based on the Receiver's belief that funds currently in the Receivership Estate exceed the amount he expects to need for ongoing operation of the Receivership and for prosecution of litigation that has been brought by the Receiver. The Motion is supported by the accompanying memorandum. The SEC and CFTC have expressed their support for making this third interim distribution.

The Receiver believes that making another partial distribution of funds is appropriate at this time and is in the best interest of the investors. Therefore, the Receiver respectfully moves the Court to enter the accompanying order allowing the Receiver to distribute \$800,000.00 of funds in the Receivership Estate to Claimants using the pro-rata methodology previously approved by the Court.

DATED this 27<sup>th</sup> day of July, 2012.

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 27<sup>th</sup> day of July, 2012, I electronically filed the foregoing RECEIVER’S MOTION FOR APPROVAL TO PAY THIRD INTERIM DISTRIBUTION 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

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 Securities and Exchange  
Commission*

*Counsel for Plaintiff Commodity Futures  
Trading Commission*

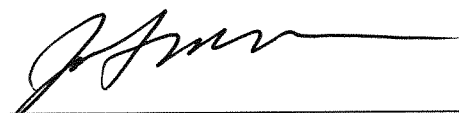
AND, I HEREBY CERTIFY that I have served the foregoing document to the following non-CM/ECF Registered Participants (list names and addresses):

Daren L. Palmer #13952-023  
FPC Duluth  
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*

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

  
\_\_\_\_\_  
John F. Kurtz, Jr.