

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
mgordon@hawleytroxell.com

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)	
)	
COMMODITY FUTURES TRADING)	Case No.: CV 09-076-E-EJL
COMMISSION,)	
)	The Honorable Edward J. Lodge
Plaintiff,)	
)	
vs.)	RECEIVER MOTION TO
)	ACCELERATE DATE OF AUCTION
DAREN L. PALMER and TRIGON GROUP,)	OF IDAHO FALLS HOME AT
INC., a Nevada Corporation,)	AUCTION AND MEMORANDUM IN
)	SUPPORT
Defendants.)	

R. Wayne Klein, the Court-Appointed Receiver (the "Receiver") of Trigon Group, Inc.

(“Trigon”) and the assets of Daren L. Palmer (the “Receivership Entities” and/or “Palmer”), by and through his attorneys of record hereby moves this Court for an Order approving the Receiver’s plan to accelerate the date of the auction to sell the Idaho Falls home of Daren Palmer (“Palmer Home”) from December 12, 2013 to November 25, 2013.

**I.
DISCUSSION**

The Receiver previously moved this Court for an Order approving his plan to sell the Palmer Home at auction (CV90-075-E-EJL, Dkt. 158 and CV09-076-E-EJL, Dkt. 122) (“Motion”). This Court granted the Motion and issued an Order authorizing the Receiver to proceed with the sale of the Palmer Home at auction in accordance with the terms described in the Motion. (CV90-075-E-EJL, Dkt. 159). The Motion stated that the auction would take place on December 12, 2013.


The Receiver now seeks this Court’s approval to accelerate the date of the auction of the Palmer Home to November 25, 2013 to enable participation by a bidder who would not otherwise participate because the original auction date was too close to the end of the calendar year to ensure a closing before December 31, 2013. The Receiver believes that moving the date to enable the participation of that bidder will help maximize the amount received for the Palmer Home.

**IV.
CONCLUSION**

For the reasons set forth above, the Receiver moves this Court to approve the acceleration of the date of the auction of the Palmer Home to November 25, 2013.

DATED THIS 21st day of November, 2013.

HAWLEY TROXELL ENNIS & HAWLEY, LLP

BY 

Matthew Gordon
Attorneys for Plaintiff R. WAYNE KLEIN, the
Court-Appointed Receiver of Trigon Group,
Inc. and for the assets of Daren L. Palmer.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of November, 2013, I electronically filed the foregoing RECEIVER MOTION TO ACCELERATE DATE OF AUCTION OF IDAHO FALLS HOME AT AUCTION AND MEMORANDUM IN SUPPORT 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
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

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

Local Counsel for Plaintiffs



Matthew Gordon