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Attorneys for Receiver, R. Wayne Klein

UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

SECURITIES AND EXCHANGE)	Case No.: 4:09-CV-075-E-EJL
COMMISSION,)	
)	
Plaintiff,)	
)	
and)	Case No.: 4:09-CV-076-E-EJL
)	
COMMODITY FUTURES TRADING)	
COMMISSION,)	
)	
Plaintiff,)	The Honorable Edward J. Lodge
)	
vs.)	
)	
DAREN L. PALMER and TRIGON GROUP,)	NOTICE OF PROPERTY SALE
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 the sale of real estate pursuant to the terms described below.

PROPERTY SALE

The Receiver has accepted the high bid at auction for the unfinished home that was being constructed by Daren Palmer on Sheffield Circle, in Idaho Falls, Idaho. The sales price is \$762,000.00. As described in more detail below, the Receiver intends to close the sale to the high bidder after the notice period provided herein has expired.

The Receiver listed the home for sale in August 2009. The home was originally listed for sale at \$4,000,000.00. The listing price has been reduced several times during the past four years. The most recent listing price was \$1,990,000.00. During the entire time the home has been listed, it has been marketed aggressively and shown to potential buyers on numerous occasions. Notwithstanding these marketing efforts, no offers were ever received for the home.

On October 22, 2013, the Receiver filed a motion seeking authorization to sell the home at auction. [Doc. No. 158]. On October 24, 2013, the Court granted the motion. [Doc. No. 159]. The Receiver engaged Braun, Inc. to market the home and conduct an auction. As part of its marketing efforts, Braun made over 400 telephone calls to real estate brokers in Idaho Falls and the area surrounding Idaho Falls, including calls to brokers in Pocatello, Idaho and Jackson Hole, Wyoming. In addition, Braun contacted potential buyers in the area by telephone. Emails were sent to investors and potential buyers from a database maintained by Braun. This email solicitation went to people throughout the Western United States.

The auction was advertised in the Post Register newspaper. A color brochure was created touting the features of the home. This brochure was sent to potential buyers and was also placed on the Receivership website. The Post Register newspaper and an Idaho Falls television

station provided news coverage of the planned auction, increasing exposure of the planned auction. The Receiver provided information in his files to the listing agent and to Braun identifying potential buyers. The listing real estate agent held an open house at which numerous other area real estate brokers toured the home.

The auction was initially scheduled for December 12, 2013. On November 19, 2013, the auctioneer was contacted by a potential bidder expressing interest in the home, but indicating that a bid would be submitted only if the Receiver could provide assurances that the sale could be closed by December 31, 2013. The Receiver was unable to provide that assurance in light of the need to provide notice of the pending sale to the Court after the conclusion of the auction. The Receiver made the decision to move the auction date up. On November 21, 2013, the Receiver filed a motion seeking approval to accelerate the auction date [Doc. No. 161]. The Court granted this motion on November 22, 2013 [Doc. No. 162]. Accordingly, the auction date was accelerated to November 25, 2013.

The auctioneer and listing broker contacted all brokers and potential buyers who had expressed any interest in the home, informing them that the auction date had been accelerated. This included persons who had requested a copy of the auction brochure. Notice of the new auction date was posted on the Receiver's website. The auctioneer and listing broker used these contacts to gauge interest in the property by potential bidders. In those discussions, the auctioneer and broker learned that they might only expect one or two bids and that if there were bids, the bids would likely be in the range of \$450,000.00 to \$500,000.00.

The bid deadline expired on November 25, 2013. There was only one bid submitted. The bid was \$762,000.00. The Receiver has accepted this as a qualifying bid and the high bid.

From this amount, a 6% commission will be paid to the listing broker as well as customary closing costs. The buyer will pay a 5% buyer's premium to the auctioneer. This is in addition to the bid price for the home.

This sale will not only bring in substantial additional cash to the Receivership Estate, but will also reduce significantly the expenses of maintaining this home. These expenses include large insurance costs, property taxes, utility expenses, and weed control. As such, the Receiver believes this sale is beneficial to the Receivership Estate. The SEC and CFTC have both been informed of the planned sale.

**PROCEDURE FOR ADDRESSING ANY OBJECTIONS
TO THE PROPERTY SALE**

Objections, if any, to the property sale must be in writing and filed with this Court within ten (10) days of the date of the filing of this Notice of Property Sale. If no objection has been filed within ten (10) days, unless the Court orders otherwise, the Receiver will deem the sale approved and move forward to complete the sale. In the event that an objection is filed, the Receiver will have the right to: (1) notify in writing the objecting person, the buyer, 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 buyer, and the Court that the Receiver believes that the objection is valid, whereupon the sale of this property to this buyer will be rejected.

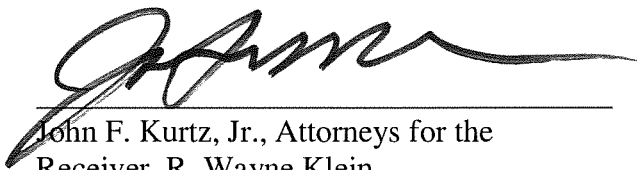
CONCLUSION

The Receiver believes this property sale will provide benefits to the Receivership by bringing cash into the Receivership Estate and avoiding any further costs relating to this property.

DATED this 27th day of November, 2013.

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 27th day of November, 2012, I electronically filed the foregoing NOTICE OF PROPERTY SALE 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.