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Attorneys for Receiver, R. Wayne Klein

## UNITED STATES DISTRICT COURT

### DISTRICT OF IDAHO

SECURITIES AND EXCHANGE COMMISSION,	) Case No.: CV 09-075-E-EJL
Plaintiff,	)
and	)
COMMODITY FUTURES TRADING COMMISSION,	) Case No.: CV 09-076-E-EJL
	) The Honorable Edward J. Lodge
Plaintiff,	)
vs.	TWENTY-FOURTH REPORT OF R. WAYNE KLEIN, RECEIVER (FOR
DAREN L. PALMER and TRIGON GROUP, INC., a Nevada Corporation,	) PERIOD ENDING DECMEBER 31, 2014)
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"), hereby submits this Twenty-Fourth Report for the period of October 1, 2014 through

TWENTY-FOURTH REPORT OF R. WAYNE KLEIN, RECEIVER (FOR PERIOD ENDING DECEMBER 31, 2014) - 1

December 31, 2014 (the "Reporting Period").

In light of the limited number of matters remaining to be accomplished before the Receivership Estate can be concluded, the Receiver is minimizing the time he and his counsel spend working on the Receivership. During the quarter, the Ninth Circuit Court of Appeals heard oral argument on the appeal of the single litigation matter still pending. On January 2, 2015, just after the close of the Reporting Period, the appeals court affirmed the \$87,534.56 judgment that had been entered by the District Court. On other matters, the Receiver's counsel continued pursuing collection efforts on the sole remaining uncollected judgment and real estate professionals continued their marketing efforts on the single property remaining in the Receivership Estate. When these are completed, the Receiver will ask the Court to authorize a final distribution of funds and termination of the Receivership Estate.

# I. PROCEDURAL HISTORY

The regulatory enforcement actions by the Securities and Exchange Commission (SEC) and Commodity Futures Trading Commission (CFTC) were commenced on February 26, 2009.

That same day, the Court entered orders imposing an asset freeze and appointing Wayne Klein as Receiver. On October 23, 2009 the Court entered an order finding Mr. Palmer in contempt of previous orders of the Court. On July 19, 2010, the Court entered final judgment against Mr.

Palmer and Trigon in the SEC matter, based on the consent of the defendants. On October 4, 2010, the Court granted final summary judgment against Palmer in the CFTC action. On

During the quarter, the Receiver spent only 3.6 hours of billable time working on Receivership matters.

May 18, 2011, Palmer was charged with two criminal counts: wire fraud and money laundering.

Palmer pleaded guilty to the two criminal counts on May 24, 2011 and was sentenced on

September 20, 2011. Copies of these orders and judgments are posted on the Receiver's website.

### II. LITIGATION STATUS

All 24 of the lawsuits filed by the Receiver in an effort to recover funds for investors resulted in settlements or judgments. Two of those cases had activity during the quarter:

Doyle Beck: Beck appealed an \$87,524.56 judgment entered by the federal district court in favor of the Receivership. Oral argument on this appeal was held before the Ninth Circuit Court of Appeals on December 10, 2014 and on January 2, 2015 the appeals court issued its ruling affirming the judgment in favor of the Receivership. The Receiver has begun the process of collecting this judgment.

Stephan Lawson: The Receiver has filed liens on real estate owned by Lawson, seeking to collect the \$35,275.99 judgment in favor of the Receiver.

# III. STATUS OF PROPERTY OWNED BY THE RECEIVERSHIP

Southstone Lot: The Receivership Estate has sold all of the properties that were in the Receivership Estate except this lot. This is a commercial building lot in Eagle, Idaho. Because ordinary marketing has not resulted in a sale, the Receiver intends to conduct an auction of the property. The Receiver will file a motion with the Court in the near future, seeking permission to conduct a no-reserve auction of the property.

# IV. FINANCIAL ACTIVITIES

Funds Recovered and Paid Out. During this Reporting Period, no funds were received TWENTY-FOURTH REPORT OF R. WAYNE KLEIN, RECEIVER (FOR PERIOD ENDING DECEMBER 31, 2014) - 3

for the Receivership bank account. There were three expenditures during the quarter: \$172.07 in irrigation assessments for the Eagle property, \$1,503.64 in property taxes for the Eagle property, and \$421.39 in travel expenses for the Receiver to attend the appeals court hearing on December 10, 2014.

Bank Account Balance. The Receivership bank account balance as of December 31, 2014 was \$252,473.55.

# VI. CONCLUSION

The Receiver respectfully submits this Twenty-Fourth Report for the period from October 1, 2014 through December 31, 2014.

The Receiver verifies under penalty of perjury that the foregoing is true and correct.

DATED THIS 23<sup>rd</sup> day of February, 2015.

R. WANNE KLEIN, Receiver

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of February, 2015, I electronically filed the foregoing TWENTY-FOURTH REPORT OF R. WAYNE KLEIN, RECEIVER (FOR PERIOD ENDING DECEMBER 31, 2014) 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

Tanya Beard

Securities and Exchange Commission

351 South West Temple, Suite 6.100

Salt Lake City, UT 84101

martinezk@sec.gov

Alison B. Wilson

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Division of Enforcement

Commodity Futures Trading Commission

1155 21st Street, N.W.

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Counsel for Plaintiff Securities and Exchange Commission

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	U.S. Mail, Postage Prepaid
Inmate #13952-023	Hand Delivered
Federal Prison Camp	Overnight Mail
PO Box 1000	E-mail
Duluth, MN 55814	Telecopy
Defendant	
Alan Conilogue	U.S. Mail, Postage Prepaid

Alan Conilogue

Deputy Attorney General

State of Idaho

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E-mail

Telecopy

Local Counsel for Plaintiffs

John F. Kurtz, Jr.

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