John F. Kurtz, Jr., ISB No. 2396 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

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	) Case No.: CV 09-076-E-EJL
COMMODITY FUTURES TRADING COMMISSION,	)
Plaintiff,	) The Honorable Edward J. Lodge
VS.	)
DAREN L. PALMER and TRIGON GROUP, INC., a Nevada Corporation,	) NOTICE OF SETTLEMENTS
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 pursuant to the terms described below.

#### **SETTLEMENT**

Stephan D. Lawson. Trigon loaned \$20,000.00 to Stephan Lawson on September 9, 2008. Lawson never repaid the loan. The Receiver sued Lawson on April 14, 2010 and obtained a judgment on June 10, 2013 in the amount of \$31,388.49. After the Receiver filed papers to garnish Lawson's bank account balances, Lawson entered into settlement discussions with the Receiver. Lawson provided verified financial information to the Receiver showing that he owes unpaid judgments in excess of \$190,000, has ongoing expenses that exceed his income, and incurs expenses in caring for a disabled child.

On June 8, 2015, the Receiver entered into an agreement with Lawson pursuant to which Lawson will pay to the Receiver \$10,000.00 immediately, in full settlement of the Receiver's claims. In return, the Receiver will file notice of satisfaction of the judgment against Lawson and withdraw the garnishment notices.

# REVIEW BY SEC AND CFTC

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

# $\frac{PROCEDURE\ FOR\ ADDRESSING\ ANY\ OBJECTIONS\ TO\ THE\ SETTLEMENTS\ OR\ THE}{PROPERTY\ TRANACTIONS}$

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 affected settlement agreement(s) 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, avoiding any further costs of collection of the judgment against Lawson, and allow the Receivership Estate to be closed.

DATED this 11 The day of June, 2015.

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 // day of June, 2015, 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
Tanya Beard
Securities and Exchange Commission
351 South West Temple, Suite 6.100
Salt Lake City, UT 84101
martinezk@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, #13952-023 Taft Correctional Institution PO Box 7001 Taft, CA 93268

U.S. Mail, Postage Prepaid

Hand Delivered
Overnight Mail

E-mail

\_\_\_\_ Telecopy

Defendant

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

Local Counsel for Plaintiffs

John F. Kurtz, Jr.