

# **RECEIVERSHIP OF TRIGON GROUP, INC.**

## **Initial Investor Response Form**

*March 6, 2009*

### **Government Lawsuits**

*Securities and Exchange Commission v. Daren L. Palmer and Trigon Group, Inc.*  
United States District Court, District of Idaho  
Case No. CV-09-75-S-EJL (Judge Edward J. Lodge), Filed Feb. 26, 2009

*Commodity Futures Trading Commission v. Daren L. Palmer and Trigon Group, Inc.*  
United States District Court, District of Idaho  
Case No. CV-09-76-S-EJL (Judge Edward J. Lodge), Filed Feb. 26, 2009

### **Receiver Appointed by the Federal Court**

Wayne Klein  
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## **Message From the Receiver**

I am the court-appointed Receiver in the federal court cases filed by the U.S. Securities and Exchange Commission and the U.S. Commodity Futures Trading Commission against Daren L. Palmer and Trigon Group, Inc. on February 26, 2009. As Receiver, I am gathering information about the amount invested with Palmer (and his companies) and the assets that can be recovered to help pay the claims of investors and other creditors.

The attached form is designed to help the Receiver understand what claims might be made against Palmer and Trigon, including what amounts were given to Palmer and Trigon by investors. I ask that you complete and submit this form. At a later date, the Receiver will conduct a formal claims process – under guidelines that will be approved by the federal court.

The Receiver's role focuses on identifying and recovering any assets. The investigations by government agencies (such as the SEC, CFTC, and Idaho Department of Finance) are separate from the Receiver's work and are ongoing, although the Receiver is coordinating his efforts with those agencies. One or more of these government agencies may contact you for information as part of their ongoing investigations. I urge your cooperation with them.

**Investor Meeting** I will be holding a meeting in Idaho Falls on Monday, March 16, 2009 at 7:00 to meet with investors and others interested in the Receivership. The meeting will be held in the Teton Room at Ameritel Inns, 2501 South 25<sup>th</sup> Street East in Ammon. I look forward to meeting you at that time.

**Guidelines for Completing the Attached Form:**

1. Attach additional sheets to this form if necessary to give complete answers. Please do not write on the backs of these pages.
2. Please remember to retain a copy of the completed form.
3. Please note that the information communicated by you to the Receiver might be used in court filings. In such an event, personally-identifiable information, such as social security numbers and bank account numbers, would be redacted (deleted) from any court filing or public use. The information you provide will be used by the Receiver in administering the Receivership account, including the resolution of claims. Information will likely be shared with the court and with regulatory and law enforcement agencies. To reduce the expenses of the Receivership and to prevent misunderstandings, all communications to the Receiver should be in writing.
4. This Response Form must be signed under penalties of perjury. If you have questions about how to complete this form, consult your own attorney or other adviser. The Receiver recommends that you secure advice from legal and tax professionals.
5. The completed form should be mailed to the Receiver by March 20, 2009. Mailing information is contained at the end of the form.

**Investor Information**

1. Investor Name: \_\_\_\_\_  
Joint Investor (if any) \_\_\_\_\_  
Social Security No. \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Home and Cell Phone No's. \_\_\_\_\_  
E-mail address: \_\_\_\_\_
2. Type of account(s) held (if there was more than one account, list the names and account numbers for each type of account):
  - a. Individual \_\_\_\_\_
  - b. Corporation \_\_\_\_\_
  - c. General Partnership \_\_\_\_\_
  - d. Limited Partnership \_\_\_\_\_
  - e. Other (explain) \_\_\_\_\_

3. Have you consulted with an attorney about your investment with Trigon or Palmer? If so, who is your attorney and what is his/her address?

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**Investment Information**

1. Please list each investment account you had with Daren L. Palmer or his companies (this includes Trigon Group, Inc., Palmer Trading and Investments, LLC, Blackrock Limited, LLC, Canterbury Court Properties, LLC, Pinnacle Company, LLC, or Mountain States Land, LLC.

Name on Account	Date Opened	Acct. No.	Who Account is With

2. List all of your investments with Palmer and his companies. Please complete a separate table for each investment account you had with Palmer. *For this question, list only the amounts you gave to Palmer or his companies; do not include any amounts that were reported to you as profits and left in the investment program (reinvested).*

**Account No.** \_\_\_\_\_

Date	Amount	To Whom Paid	How Paid (cash, check, wire)	Expected Return	Source of Funds <sup>1</sup>

**Account No.** \_\_\_\_\_

Date	Amount	To Whom Paid	How Paid (cash, check, wire)	Expected Return	Source of Funds

<sup>1</sup> What was the source of the funds you invested with Palmer? For example, did the money come from savings, a home equity loan, a retirement fund, bank borrowings, sale of real estate, other investment accounts, , etc.?

**Account No.** \_\_\_\_\_

<b>Date</b>	<b>Amount</b>	<b>To Whom Paid</b>	<b>How Paid (cash, check, wire)</b>	<b>Expected Return</b>	<b>Source of Funds</b>

**Account No.** \_\_\_\_\_

<b>Date</b>	<b>Amount</b>	<b>To Whom Paid</b>	<b>How Paid (cash, check, wire)</b>	<b>Expected Return</b>	<b>Source of Funds</b>

3. For each account you had with Palmer or his companies, list all payments and distributions you received from them. This should include any payments that were paid to you directly or to others on your behalf or at your request.

**Account No.** \_\_\_\_\_

<b>Date</b>	<b>Amount</b>	<b>From Whom (what person or entity)</b>	<b>How Paid (cash, check, wire)</b>	<b>Who was Payment Sent To (if not to you)</b>

**Account No.** \_\_\_\_\_

<b>Date</b>	<b>Amount</b>	<b>From Whom (what person or entity)</b>	<b>How Paid (cash, check, wire)</b>	<b>Who was Payment Sent To (if not to you)</b>

**Account No.** \_\_\_\_\_

<b>Date</b>	<b>Amount</b>	<b>From Whom (what person or entity)</b>	<b>How Paid (cash, check, wire)</b>	<b>Who was Payment Sent To (if not to you)</b>

4. When and how did you first hear about Palmer's investment company?

\_\_\_\_\_  
\_\_\_\_\_

5. How Did You Think Your Money Would be Used?

a. Please explain how you believed your money would be used or invested by Palmer and his companies?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Did Palmer describe the investment program to you directly? \_\_\_\_\_. If so, when was this description given and how (eg., in person, by telephone, at a meeting, via e-mail, etc.)?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. What returns or profits were you told to expect from this investment program?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Were you told that these returns or profits were guaranteed, no-risk, or low risk? If so, what were you told? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

e. Did you receive a personal guarantee from Palmer, promising that he would be personally liable to you for repayment of your investment? If so, describe what type of guarantee you received and explain whether the guarantee was in writing.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Did Palmer ever discuss with you whether the money you gave him to invest would be used to pay profits or distributions to other investors? \_\_\_\_\_ If so, describe the discussion. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Did Palmer ever tell you that he was licensed to sell or trade securities or commodities? \_\_\_\_\_ If so, describe what he told you. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Documents You Received in Connection with Your Investment:

- a. Did you receive account statements from Palmer or his company? \_\_\_\_\_
- b. If so, how frequent were the statements (e.g., monthly, quarterly)? \_\_\_\_\_
- c. What is the date of your last statement from Palmer? \_\_\_\_\_
- d. Do you still have copies of all of your account statements? \_\_\_\_\_
- e. Please list any other documents you have relating to your investment (such as promissory notes, investment agreements, correspondence, e-mails, prospectus or offering summary). *Note: you may be asked to provide these at a later date.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. With Whom Did you Deal?

- a. Did anyone other than Palmer suggest that this would be a good investment to make? If so, identify who and what they said about the investment.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Did you give/send your investments directly to Palmer and his companies? If not, identify who you gave your money to and why you believed the money given to the other person/entity would be invested with Palmer and his companies?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Commissions and Compensation:

- a. What was your understanding of how Daren Palmer would be compensated for his role in managing the investment fund? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
- b. Were you told that any of your investment funds would be used to pay a salary or living expenses for Palmer or his family? \_\_\_\_\_
  
- c. Were you told that anyone else would be paid a commission or referral fee based on money you invested with Palmer and his companies? \_\_\_\_\_
  - i. If so, how much was the commission going to be? \_\_\_\_\_
  - ii. Who did you understand would be receiving a commission?  
 \_\_\_\_\_
  
- d. Did you receive any commission or referral fee (or a credit in your investment account) for referring other investors to Palmer or encouraging others to invest with Palmer? \_\_\_\_\_ If so, list all those payments or credits and indicate the investors for which you were paid a commission or referral fee:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
- e. Were you offered a commission or referral fee, but declined the offer of such a fee? \_\_\_\_\_ If so, describe the circumstances of the offer (such as who made the offer, when the offer was made, and the amount of the commission).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

10. Please list any checks you received from Palmer as withdrawals of your investment or distribution of profits which did not clear.

Amount	Date of Check	Check No.	Purpose of Payment	Still Have Check?

11. Since the middle of 2008, did Palmer give you any explanation for why any payments would be late or why account statements were not being distributed? \_\_\_\_\_ If so, what did he say? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Have you heard Palmer give any explanation why the investment program failed or say that investment funds were used in a manner different than promised or that he had misled investors? \_\_\_\_\_ If so, describe what you heard him say.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. What is the amount you believe you are owed by Palmer?

a. In principal (actual amounts you gave him, minus payments): \_\_\_\_\_

b. In unpaid profits: \_\_\_\_\_

14. Are there assets that you believe Palmer owns or in which he has an interest that the Receiver could or should seek to recover? If so, identify or describe them:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. Are you related<sup>2</sup> to Daren L. Palmer or Michelle Palmer, or were you involved in helping Palmer conduct his investment business? Yes [ ] No [ ]

a. If you are related, what is the nature of the relationship?  
\_\_\_\_\_  
\_\_\_\_\_

b. If you were involved in helping Palmer conduct his investment business, what role did you play with him and his companies?  
\_\_\_\_\_  
\_\_\_\_\_

16. Please provide any additional information you feel the Receiver should know (attach additional sheets if necessary).  
\_\_\_\_\_

<sup>2</sup> A related party would include: family members (blood or marriage), entities such as corporations, trusts and partnerships in which you (or any of your family members) were officers, directors, general partners, trustees, beneficiaries, equity owners, or otherwise played a role or held a position; and if you, yourself, are a "legal entity" (corporation, trust, partnership, LLC, etc.) rather than a "natural person," your related parties would include your own officers, directors, general partners, trustees/beneficiaries, equity owners, etc.

**Signature(s)**

**By signing my/our name below, I/we acknowledge and affirm the following (please check each box before signing):**

I/we will supplement this Response Form if any information given here later becomes inaccurate or incomplete.

I/we affirm that I am/we are an investor in Daren Palmer's investment program.

I/we hereby affirm that the answers provided herein are truthful and complete, and not misleading.

I/we acknowledge that this Response Form is submitted under penalties of perjury.

**Primary Investor:**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Co-Investor:**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Mailing Instructions, Deadline**

This completed form should be mailed to the Receiver by March 20, 2009. The completed form should be mailed to:

Wayne Klein, Receiver for Trigon Group, Inc.  
299 South Main, Suite 1300  
Salt Lake City, UT 84111

Forms may also be scanned and submitted via e-mail to [wklein@lbfglobal.com](mailto:wklein@lbfglobal.com).