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5 Attorneys for the Receiver

6
7 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

8 IN AND FOR MARICOPA COUNTY

9 ARIZONA CORPORATION
COMMISSION,

10 Plaintiff,

11 v.

12 TREND MANAGEMENT GROUP,
13 INC.; TREND CAPITAL, L.L.C.,

14 Defendants.
15

Cause No. CV 2006-016822

MOTION TO TRANSFER *DAVIS V.*
ADVANTAGE LONGTERM CARE
PLANNING, ET. AL., (CV 2008-021008)
TO THE DIVISION OF THE
HONORABLE A. CRAIG BLAKEY, II

(Assigned to the Honorable A. Craig
Blakey, II)

16 Pursuant to Local Rule 3.1 (c), Plaintiff Peter S. Davis, Receiver for Trend
17 Management, Group, Inc., Trend Capital, LLC, and The Trend Group, Inc., through
18 undersigned counsel, respectfully requests that the above referenced matter currently assigned
19 to the Honorable Edward Burke be transferred to the Honorable A. Craig Blakey, II for the
20 reasons stated herein:
21

1 On May 17, 2007, the Judge Blakey entered an *Amended Order Appointing Receiver*
2 (“Receivership Order”) which appointed Peter S. Davis as the Receiver for Trend
3 Management, Group, Inc., Trend Capital, LLC, and The Trend Group, Inc. in an action styled
4 *ACC v. Trend et al*, Maricopa County Superior Court Case No. CV2006-01622 (“the
5 Receivership Action”)

6 The Receivership Order, page 10, paragraph 20, authorized the Receiver to:

7 20. . . . institute, prosecute, compromise, or adjust, such
8 actions or proceedings in state, or federal court as may in his
9 judgment be necessary or proper for the collection, preservation
10 and maintenance of the Receivership Assets;

11 On August 29, 2008, Judge Blakey, as part of the Receivership entered an Order
12 regarding Petition No. 43 authorizing the Receiver to file a lawsuit against the multiple
13 defendants who were agents involved in the sale of Trend’s unlicensed securities. The Order
14 further states that the lawsuit filed against the Defendants will be assigned to the division of
15 the Honorable A. Craig Blakey (*See* attached Exhibit A). The Receiver filed his Complaint
16 against the Defendants on August 29, 2008.

17 Both the Receivership Action and the lawsuit against the Defendants arise from
18 substantially the same events and would entail substantial duplication of labor if heard by
19 different Superior Court Judges.

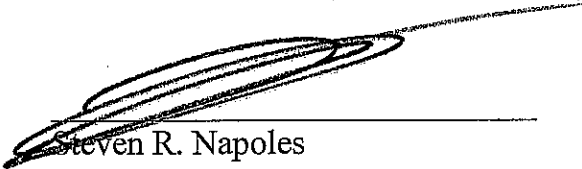
20 Furthermore, there has already been a significant amount of litigation conducted in
21 Receivership Action and the Honorable A. Craig Blakey, II has heard numerous petitions
related to the Receivership Action.

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1 The Court in the Receivership Action has the most familiarity with the issues involved
2 in the case. For all these reasons and in consideration of judicial economy, the Plaintiff
3 moves for the transfer of *Peter S. Davis v. Advantage Longterm Care Planning, et al*, Cause
4 No. CV2008-021008 to the Honorable A. Craig Blakey, II for all further proceedings.

5 Respectfully submitted this 4th day of September, 2008.

6 GUTTILLA MURPHY ANDERSON, P.C.

7
8 
9 Steven R. Napoles
10 Attorney for the Receiver

11 Original of the foregoing filed
12 this 4th day of September, 2008 with:

13 Clerk of the Court
14 Maricopa County Superior Court
15 201 West Jefferson, Fourth Floor
16 Phoenix, AZ 85003

17 Copies hand-delivered to:

18 The Honorable A. Craig Blakey, II

19 The Honorable Edward Burke

20 Copies of the foregoing
21 mailed this 4th day of September, 2008 to:

22 All parties listed on the attached
Master Service List

By: 

MASTER SERVICE LIST

Arizona Corporation Commission v. Trend Management Group, Inc.

Maricopa County Superior Court

CV 2006-16822

(Rev. 2/28/08)

Honorable A. Craig Blakey, II
Maricopa County Superior Court
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Phoenix, AZ 85003

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9 COMMISSION,

10 Plaintiff,

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12 TREND MANAGEMENT GROUP,
13 INC.; TREND CAPITAL, L.L.C.,

14 Defendants.

Cause No. CV 2006-016822

ORDER RE: PETITION NO. 43

(Assigned to Judge A. Craig Blakey, II)

15
16 The Receiver having filed his *Petition No. 43, Petition for Order Authorizing the*
17 *Receiver to Initiate Lawsuit Against Defendants* with the Court, and appearing to the Court
18 that the relief requested is reasonable and appropriate:
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1 NOW, THEREFORE, IT IS HEREBY ORDERED authorizing the Receiver to institute
2 a lawsuit on behalf of the Receivership against the Defendants.

3 IT IS FURTHER ORDERED that the lawsuit filed against the above Defendants by
4 the Receiver shall be assigned to this division.

5 Dated this 29 day of August, 2008.

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7 A. CRAIG BLAKEY, II
8 _____
9 Judge of the Superior Court

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ADVANTAGELONGTERM CARE
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THE DIVISION OF THE HONORABLE A.
CRAIG BLAKEY, II

(Assigned to Judge A. Craig Blakey, II)

13 Pursuant to the motion filed by the Receiver and good cause appearing thereon:

14 IT IS HEREBY ORDERED transferring Cause No. 2008-021009, *Peter Davis v.*

15 *Advantage Longterm Care Planning, et al.*, to the Division of The Honorable A. Craig Blakey,

16 II for all further proceedings.

17 Dated this _____ day of _____, 2008.

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20 _____
Judge of the Superior Court