

COPY

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6
7 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR MARICOPA COUNTY

8 ARIZONA CORPORATION
9 COMMISSION,

10 Plaintiff,

11 v.

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

14 Defendants.

Cause No. CV 2006-016822

MOTION TO TRANSFER DAVIS V.
TITAN RECOVERY GROUP, LLC, ET
AL, TO THE DIVISION OF THE
HONORABLE A. CRAIG BLAKEY, II

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

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

20 On May 17, 2007, the Judge Blakey entered an *Amended Order Appointing Receiver*
21 ("Receivership Order") which appointed Peter S. Davis as the Receiver for Trend

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1 Management, Group, Inc., Trend Capital, LLC, and The Trend Group, Inc. in an action styled
2 *ACC v. Trend et al*, Maricopa County Superior Court Case No. CV2006-016822 (“the
3 Receivership Action”)

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

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

9 On July 30, 2008, Judge Blakey, as part of the Receivership entered an Order
10 regarding Petition No. 36 authorizing the Receiver to file a lawsuit against Defendants Titan
11 Recovery Group, L.L.C., New Vision Financial, LLC, Front Line Assets, LLC, Frederick A.
12 Howard and Jane Doe Howard (“the Titan Lawsuit”). The Order further states that the Titan
13 Lawsuit will be assigned to the division of the Honorable A. Craig Blakey (*See* attached
14 Exhibit A). The Receiver filed his Complaint against Defendants Titan Recovery Group,
15 LLC, New Vision Financial, LLC, Front Line Assets, LLC, Frederick A. Howard and Jane
16 Doe Howard on August 1, 2008.

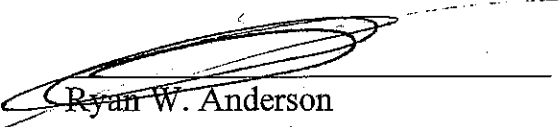
17 Both the Receivership Action and the Titan Lawsuit arise from substantially the same
18 events and would entail substantial duplication of labor if heard by different Superior Court
19 Judges.

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.

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. Titan Recovery Group, LLC, et al*, Cause No.
4 CV2008-018486 to the Honorable A. Craig Blakey, II for all further proceedings.

5 Respectfully submitted this 11th day of August, 2008.

6 GUTTILLA MURPHY ANDERSON, P.C.

7
8 
9 Steven R. Napoles
Attorneys for the Receiver

10 Original of the foregoing filed
11 this 11th day of August, 2008 with:

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

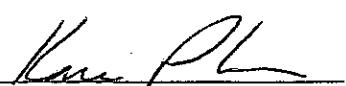
14 Copies hand-delivered to:

15 The Honorable A. Craig Blakey, II

16 The Honorable Peter Swann

17 Copies of the foregoing
18 mailed this 11th day of August, 2008 to:

19 All parties listed on the attached
Master Service List

20 By: 
21 1027-001(77695)

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
201 W. Jefferson
Phoenix, AZ 85003

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9 ARIZONA CORPORATION
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10 Plaintiff,

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

14 Defendants.
15

Cause No. CV 2006-016822

ORDER RE: PETITION NO. 36

(Assigned to Judge A. Craig Blakey, II)

16 The Receiver having filed his *Petition No. 36, Petition for Order Authorizing the*
17 *Receiver to Initiate Lawsuit Titan Recovery Group, L.L.C., New Vision Financial, L.L.C.,*
18 *Front Line Assets, L.L.C., Frederick A. Howard and Jane Doe Howard* with the Court, and
19 appearing to the Court that the relief requested is reasonable and appropriate:

20 ...

21 ...

Exhibit A

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NOW THEREFORE, IT IS HEREBY ORDERED authorizing the Receiver to institute a lawsuit on behalf of the Receivership entities against Titan Recovery Group, L.L.C., New Vision Financial, L.L.C., Front Line Assets, L.L.C., Frederick A. Howard and Jane Doe Howard.

IT IS FURTHER ORDERED that the lawsuit filed against Titan Recovery Group, L.L.C., New Vision Financial, L.L.C., Front Line Assets, L.L.C., Frederick A. Howard and Jane Doe Howard by the Receiver shall be assigned to this division.

Dated this 30 day of July, 2008.

A. CRAIG BLAKEY, II

Judge of the Superior Court

1027-001(76421)