

COPY

1 Guttilla Murphy Anderson, P.C.  
Ariz. Firm No. 00133300  
2 **Ryan W. Anderson** (Ariz. No. 020974)  
4150 West Northern Avenue  
Phoenix, Arizona 85051  
3 Email: randerson@gamlaw.com  
Phone: (623) 937-2795  
4 Fax: (623) 937-6897  
Attorney for the Receiver

5  
6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR MARICOPA COUNTY

7 ARIZONA CORPORATION  
8 COMMISSION,

9 Plaintiff,

10 v.

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

13 Defendants.

Cause No. CV 2006-016822

MOTION TO TRANSFER DAVIS V.  
COLLIER, ET AL, TO THE DIVISION  
OF THE HONORABLE A. CRAIG  
BLAKEY, II

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

Guttilla Murphy Anderson, P.C.  
4150 West Northern Ave.  
Phoenix, Arizona 85051  
(623) 937-2795

14  
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., respectfully  
17 requests that the above referenced matter currently assigned to the Honorable Robert C.  
18 Houser be transferred to the Honorable A. Craig Blakey, II for the reasons stated below:

19 On May 17, 2007, the Court entered an *Amended Order Appointing Receiver*  
20 ("Receivership Order") which appointed Peter S. Davis as the Receiver for Trend  
21 Management, Group, Inc., Trend Capital, LLC, and The Trend Group, Inc.

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

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

6 On April 14, 2008, the Receivership Court entered Order Re: Petition 30 authorizing  
7 the Receiver to file a lawsuit against Defendants Cecil Collier, Ruby Collier, Sara and  
8 Raymond Godleski, Rebecca Harter, Sharon Jankunas, Mary Ann Justin, Thomas Justin,  
9 Mackin Community Property Trust, Patrick Marshall, Jacqueline Parada, Laurie Spence,  
10 Brian Tully, Phillip Watters, Magnolia Williams, and Estate of Otis Greene. Order Re:  
11 Petition No. 30 further states that this lawsuit will be assigned to the division of the  
12 Honorable A. Craig Blakey (*See* attached Exhibit A). The Receiver filed his Complaint  
13 against these Defendants on April 17, 2008.

14 Both *ACC v. Trend et al.* ("the Receivership Action") and the *Peter S. Davis v. Ruby*  
15 *Collier, et al.*, lawsuit arise from substantially the same events and would entail substantial  
16 duplication of labor if heard by different Superior Court Judges.

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

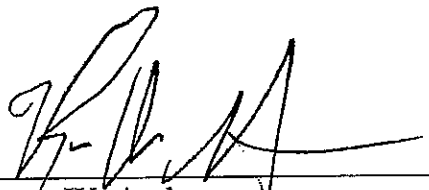
20 The Court in the Receivership Action has the most familiarity with the issues involved  
21 in the case, which is a complicated one. For all these reasons and in consideration of judicial  
economy, the Plaintiff moves for the transfer of *Peter S. Davis v. Ruby Collier, et al.*, Cause  
No. CV2008-051118 to the Honorable A. Craig Blakey, II for all further proceedings.

Guttilla Murphy Anderson, P.C.  
4150 W. Northern Ave.  
Phoenix, Arizona 85051  
(623) 937-2795

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

Respectfully submitted this 8 day of May, 2008.

GUTTILLA MURPHY ANDERSON, P.C.



Ryan W. Anderson  
Attorneys for the Receiver

Originals of the foregoing filed  
this 8 day of May, 2008 with:


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

Clerk of the Court  
Maricopa County Superior Court  
Northeast Courthouse  
18380 North 40th Street  
Phoenix, Arizona 85032

Copies of the foregoing  
mailed this 8 day of May, 2008 to:

All parties listed on the attached  
Master Service List

All Defendants in *Davis v. Collier*, CV 2008-051118

By: 

1027-001(74742)

## 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

Peter S. Davis  
Simon Consulting, LLC  
The Great American Tower  
3200 North Central, Suite 850  
Phoenix, Arizona 85012  
Receiver

Ryan W. Anderson  
Guttilla Murphy Anderson, PC  
4150 West Northern Avenue  
Phoenix, Arizona 85051  
Counsel for Receiver

Stephen M. Dichter  
Harper, Christian, Dichter & Graif, P.C.  
2700 N. Central Avenue, Suite 1200  
Phoenix, AZ 85004

Ashley Adams-Feldman  
Ryan Rapp & Underwood, PLC  
3101 North Central Avenue, Suite 1500  
Phoenix, AZ 85012

Leroy Johnson  
Aaron S. Ludwig  
Arizona Corporation Commission  
Securities Division  
1300 W. Washington  
Phoenix, AZ 85007

Loren Molever  
Hymson Goldstein & Pantiliat, P.C.  
14646 N. Kierland Blvd., Suite 255  
Scottsdale, AZ 85254  
Attorney for Armando Navas, Sr. and  
Giselle Navas

Stephen C. Kunkle  
Law Offices of Stephen C. Kunkle  
7227 N. 16<sup>th</sup> Street, Suite 224  
Phoenix, AZ 85020  
Attorney for Lori Herndon

Donald P. Johnsen  
Gallagher & Kennedy, P.A.  
2575 East Camelback Road  
Phoenix, AZ 85016-9225  
Attorney for U.S. Bank National  
Association

Michael B. Fisco  
Faegre & Benson, LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901  
Attorney for U.S. Bank National  
Association

Greg R. Davis  
Davis Limited  
11111 N. Scottsdale Rd., Ste. 225  
Scottsdale, AZ 85254-6732  
Attorney for Lori Herndon, Linda  
Jordan-Van Vranken and Russell  
Langdon Van Vranken

COPY

1 Guttilla Murphy Anderson, P.C.  
Ariz. Firm No. 00133300  
2 **Ryan W. Anderson** (Ariz. No. 020974)  
4150 West Northern Avenue  
Phoenix, Arizona 85051  
3 Email: randerson@gamlaw.com  
Phone: (623) 937-2795  
4 Fax: (623) 937-6897

5 Attorneys for the Receiver

6 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 ARIZONA CORPORATION  
COMMISSION,

9 Plaintiff,

11 v.

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

13 Defendants.  
14

Cause No. CV 2006-016822

ORDER RE: PETITION NO. 30

(Assigned to Judge A. Craig Blakey, II)

15 The Receiver having filed Petition No. 30, and the Court having considered same, and  
16 it appearing to the Court that the matters requested by Petition No. 30 are reasonable, just and  
17 appropriate:

18 NOW, THEREFORE, IT IS HEREBY ORDERED that the Receiver is authorized,  
19 pursuant to this Order and this Court's previously-entered *Order Appointing Receiver*, to  
20 institute and pursue a lawsuit in this Court on behalf of the entities in Receivership against  
21 Defendants, Cecil Collier, Ruby Collier, Sara and Raymond Godleski, Rebecca Harter,

Guttilla Murphy Anderson, P.C.  
4150 West Northern Ave.  
Phoenix, Arizona 85051  
(623) 937-2795

Gutilla Murphy Anderson, P.C.  
4150 West Northern Ave.  
Phoenix, Arizona 85051  
(623) 937-2795

1 Sharon Jankunas, Mary Ann Justin, Thomas Justin, Mackin Community Property Trust,  
2 Patrick Marshall, Jacqueline Parada, Laurie Spence, Brian Tully, Phillip Watters, Magnolia  
3 Williams, and Estate of Otis Greene

4 IT IS FURTHER ORDERED that the lawsuit filed against Defendants, Cecil Collier,  
5 Ruby Collier, Sara and Raymond Godleski, Rebecca Harter, Sharon Jankunas, Mary Ann  
6 Justin, Thomas Justin, Mackin Community Property Trust, Patrick Marshall, Jacqueline  
7 Parada, Laurie Spence, Brian Tully, Phillip Watters, Magnolia Williams, and Estate of Otis  
8 Greene by the Receiver shall be assigned to this division.

9  
10 Dated this 14 day of April, 2008.

11  
12 **A. CRAIG BLAKEY, II**

13  
14  
15  
16  
17 Judge of the Superior Court

18  
19  
20  
21 1027-001(73190)

Guttilla Murphy Anderson, P.C.  
4150 West Northern Avenue  
Phoenix, Arizona 85051  
(623) 937-2795

1 Guttilla Murphy Anderson, P.C.  
Ariz. Firm No. 00133300  
2 **Ryan W. Anderson** (Ariz. No. 020974)  
4150 West Northern Avenue  
Phoenix, Arizona 85051  
3 Email: randerson@gamlaw.com  
Phone: (623) 937-2795  
4 Fax: (623) 937-6897  
Attorney for Receiver

5  
6 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

7 ARIZONA CORPORATION  
COMMISSION,

8 Plaintiff,

9 v.

10 TREND MANAGEMENT GROUP,  
11 INC.; TREND CAPITAL, L.L.C.,

12 Defendants.

Cause No. CV 2006-016822

ORDER TO TRANSFER DAVIS V.  
COLLIER, ET AL, TO DIVISION OF THE  
HONORABLE A. CRAIG BLAKEY, II

(Assigned to Judge A. Craig Blakey, II)

13  
14 Pursuant to the motion filed by the Receiver and good cause appearing thereof,

15 IT IS HEREBY ORDERED transferring Cause No. 2008-051118, *Peter Davis v. Ruby*

16 *Collier, et al*, to the Division of The Honorable A. Craig Blakey, II for all further  
17 proceedings.

18 Dated this \_\_\_\_\_ day of \_\_\_\_\_,

19 2008.

20 \_\_\_\_\_  
Judge of the Superior Court