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

7 ARIZONA CORPORATION)
COMMISSION,)
8)
Plaintiff,)
9)
10 v.)
11 TREND MANAGEMENT GROUP,)
INC.; TREND CAPITAL, L.L.C.,)
12)
13 Defendants.)

Cause No. CV 2006-16822

PETITION NO. 2
PETITION FOR ORDER GOVERNING
ADMINISTRATION OF THE
RECEIVERSHIP
(Assigned to Judge Ruth H. Hilliard)

14
15 Peter S. Davis, as the court appointed Receiver, recommends that the Court enter the
16 proposed *Order Re: Petition No. 2, Order Governing the Administration of the Receivership*
17 lodged with the Court with this petition.

18 1. There are procedural and administrative aspects of receivership proceedings
19 which will be clarified and facilitated by a special procedural order of this Court.
20 Accordingly, the Receiver requests that the Court enter the *Order Re: Petition No. 2, Order*
21 *Governing the Administration of The Receivership* lodged with the Court (paragraph numbers

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1 below correspond to the described paragraph in the proposed order lodged with the Court)

2 which order:

- 3 (1) Prescribes procedures for further proceedings in this receivership;
- 4 (2) Directs the Clerk of the Court to retain this matter on the active calendar
5 so that it is not dismissed without an order of the Court;
- 6 (3) Provides procedures for service and for the maintenance and use of
7 service lists;
- 8 (4) Authorizes the filing of ex parte petitions by the Receiver for certain
9 matters;
- 10 (5) Establishes an interim claims procedure;
- 11 (6) Prescribes procedures for giving notice;
- 12 (7) Authorizes the Receiver's use of discovery to obtain information
13 concerning the Receivership's assets or causes of action;
- 14 (8) Authorizes a procedure for filing petitions for the payment of fees;
- 15 (9) Permits the employment of legal counsel for the Receiver, provided that
16 the fees are not paid without order of the Court.

17 2. Paragraphs 1 through 9 are similar or identical to the procedural rules that have
18 been established in other receiverships in this and other state and federal courts in which
19 counsel for the Receiver has served the Court and its Receiver. In each of these
20 receiverships, these procedures have proven helpful in promoting the fair, efficient and
21 orderly disposition of receivership business.

