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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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2003 MAR 12 P 1:08

MARC SPITZER, Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

MAR 12 2003

AZ CORP COMMISSION
DOCUMENT CONTROL

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IN THE MATTER OF:

DOCKET NO. S-03437A-03-0000

TIERRA GROUP, aka TIERRA GROUP
PROPERTIES, aka TIERRA GROUP COMPANIES,
aka TIERRA GROUP, INC.
10105 East Via Linda Drive, Ste. 103-330
Scottsdale, AZ 85258

PRESERVATION TRUST CORPORATION, aka
PRESERVATION CORPORATION, aka
PRESERVATION TRUST COMPANY,
10105 East Via Linda Drive, Ste. 103-330
Scottsdale, AZ 85258

PARTNERSHIP PRESERVATION TRUST, aka
PARTNERSHIP PRESERVATION
CORPORATION LIMITED PARTNERSHIP
10105 East Via Linda Drive, Ste. 103-330
Scottsdale, AZ 85258

CATERPILLAR FOUNDATION PROPERTIES,
aka CATERPILLAR FOUNDATION PROPERTIES
LIMITED PARTNERSHIP
10105 East Via Linda Drive, Ste. 103-330
Scottsdale, AZ 85258

RENE L. COUCH, a married man
10727 East Palm Drive Ridge Drive
Scottsdale, AZ 85259

TERRY COUCH, a married woman
10727 East Palm Ridge Drive
Scottsdale, AZ 85259

Respondents.

SECOND
PROCEDURAL ORDER

BY THE COMMISSION:

On February 3, 2003, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order to Case and Desist, Order for Restitution, Order for Administrative Penalties, and for Other Affirmative

1 Action ("Notice") against Tierra Group, aka Tierra Group Properties, aka Tierra Group Companies,
2 aka Tierra Group, Inc., Preservation Trust Corporation, aka Preservation Corporation, aka
3 Preservation Trust Company, Partnership Preservation Trust, aka Partnership Preservation
4 Corporation Limited Partnership, Caterpillar Foundation Properties, aka Caterpillar Foundation
5 Properties Limited Partnership, Rene L. Couch and Terry Couch (collectively "Respondents"), in
6 which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection
7 with the offer and sale of securities by fraudulent transactions.

8 The Respondents were duly served with a copy of the Notice.

9 On February 3, 2003, a request for hearing was filed for Mr. Couch.

10 On February 19, 2003, by Procedural Order, a pre-hearing conference was scheduled.

11 On March 12, 2003, a pre-hearing conference was held with the Division present with
12 counsel. Mr. John Augustine, counsel for Mr. Rene Couch, was present and indicated that he had
13 accepted service for the other entities that are participants in a bankruptcy proceeding in U.S.
14 Bankruptcy Court where other counsel are involved. Although Mrs. Terry Couch was served with a
15 copy of the Notice, she has not requested a hearing.

16 Counsel for the Division and Mr. Couch indicated that they are conducting settlement
17 discussions, but stipulated that an additional pre-hearing conference should be scheduled in April,
18 2003, in the event that the matter is not resolved.

19 Accordingly, a second pre-hearing conference should be scheduled.

20 IT IS THEREFORE ORDERED that a pre-hearing conference shall be held on April 30, 2003
21 at 9:30 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

22 DATED this 12th day of March, 2003.

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25 
26 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

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28 ...

1 Copies of the foregoing mailed/delivered
2 this 17 day of March, 2003 to:

3 John R. Augustine
4 The Citadel, Ste. 300
5 2727 North Third Street
6 Phoenix, AZ 85004-1106
7 Attorneys for Respondents

8 Moira McCarthy
9 Assistant Attorney General
10 ARIZONA ATTORNEY GENERAL'S OFFICE
11 1275 West Washington Street
12 Phoenix, AZ 85007

13 W. Mark Sendrow, Director
14 Securities Division
15 ARIZONA CORPORATION COMMISSION
16 1300 West Washington Street
17 Phoenix, AZ 85007

18 ARIZONA REPORT SERVICE, INC.
19 2627 N. Third Street, Ste. Three
20 Phoenix, AZ 85004

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By: 
Molly Johnson
Secretary to Marc E. Stern