

STATE OF NORTH DAKOTA

BEFORE THE

COUNTY OF BURLEIGH

SECURITIES COMMISSIONER

In the Matter of Preferred Trust )  
and Management, LTD. and )  
Michael Hupka, )  
Respondents. )

**ORDER TO RELEASE MICHAEL  
HUPKA FROM THE CEASE AND  
DESIST ORDER DATED  
APRIL 10, 2001**

.....

**THE SECURITIES COMMISSIONER OF THE STATE OF NORTH DAKOTA TO  
MICHAEL HUPKA:**

WHEREAS, on April 10, 2001, the North Dakota Securities Commissioner issued a Cease and Desist Order, Notice of Civil Penalty, and Notice of Right to Request a Hearing (Cease and Desist Order) against Michael Hupka and his wife, Marlene Hupka, based on information that Respondents acted as agents of Respondent, Preferred Trust and Management, TLD., and that Respondents offered for sale and/or sold investment(s) in Preferred Trust and Management, LTD.; and,

WHEREAS, on June 3, 2003, the Commissioner entered into a Consent Order with Marlene Hupka regarding the facts and circumstances underlying that Consent Order; and,

WHEREAS, The Commissioner has determined that further action against Respondent, Michael Hupka is unnecessary and redundant.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Respondent, Michael Hupka is hereby released from the Cease and Desist Order, Notice of Civil Penalty and Notice of Right to Request a Hearing, dated April 10, 2001, as referenced above. The Order remains in effect with regard to Respondent, Marlene Hupka.

IN TESTIMONY WHEREOF, witness my hand and seal this 14 day of June,  
2003.



  
\_\_\_\_\_  
Karen J. Tyler, Securities Commissioner  
Office of the Securities Commissioner  
600 East Boulevard Ave.  
State Capitol – Fifth Floor  
Bismarck, ND 58505-0510  
(701) 328-2910

STATE OF NORTH DAKOTA

BEFORE THE

COUNTY OF BURLEIGH

SECURITIES COMMISSIONER

In the Matter of Preferred Trust )  
and Management, LTD. and )  
Rodney J. Duncklee, )  
Respondent. )

**AFFIDAVIT OF SERVICE  
BY MAIL**

I, Jacqui Ferderer, being first duly sworn, state that I am a citizen of the United States over the age of twenty-one years and not a party to or interested in the above-entitled proceeding.

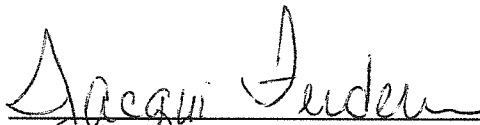
On this 4 day of June, 2003, I deposited in the Central Mailing Bureau of the United States Post Office Department in the State Capitol in Bismarck, North Dakota, a true and correct copy of each of the following documents:

**ORDER TO RELEASE MICHAEL HUPKA FROM THE  
CEASE AND DESIST ORDER DATED APRIL 10, 2001**

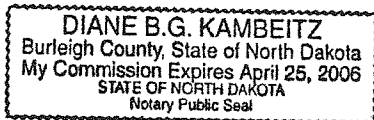
A copy of the above document was securely enclosed in an envelope with postage prepaid, sent via first class U.S. mail, addressed to the following:

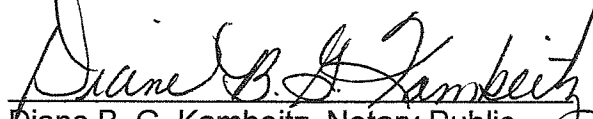
Michael Hupka  
425 20th Street NW  
Minot, ND 58703

To the best of my knowledge, information, and belief, the address given above is the actual mailing address for the party intended to be served or of the attorney representing that party.

  
\_\_\_\_\_  
Jacqui Ferderer

Subscribed and sworn to before me this 4 day of June, 2003.



  
\_\_\_\_\_  
Diane B. G. Kambeitz, Notary Public  
Burleigh County, North Dakota  
My commission expires 4/25/2006