1	State of New Hampshire Banking Department
2	In re the Matter of: )Case No.: 07-078
3	) State of New Hampshire Banking)
4	) Department, )
5	) Department, ) Motion to Vacate Ab Initio
6	and ) Show Cause With Immediate Suspension And
7	) Cease and Desist and the July 6, 2007 Southstar Funding, LLC, et al., ) Order for Default Judgment
8	) Respondents )
9	) <u>MOTION TO VACATE AB INITIO</u>
10	Now comes Maryam Torben Desfosses, on behalf of New Hampshire Banking
11	Department ("Department") in the above captioned matter, and moves to vacate
12	ab initio the April 3, 2007 Order to Show Cause With Immediate Suspension And
13	Cease and Desist ("Order") and the July 6, 2007 Order for Default Judgment
14	("Default") in this matter as to Respondent ("Respondent
15	") and states as follows:
16	1. Since the entry of the Order and Default, Respondent s counsel
17	filed a request to have Respondent vacated from the Order and
18	Default on the premise that Respondent was a minority
19	shareholder of an indirect owner of Respondent Southstar Funding, LLC.
20	2. Respondent 's counsel provided compelling information to the
21	Department, which demonstrates that Respondent was indeed not a
22	principal or control person of Respondent Southstar Funding, LLC.
23	3. In response to Respondent <b>and 's</b> request to remove him from the
24	Order and Default, the Department moves to vacate ab initio Respondent
25	from the Order and Default.

1	4. Based on the above factors, the Department now wishes to withdraw the
2	Order, allegations therein and Default as to Respondent
3	WHEREFORE, Department respectfully requests
4	A. The Commissioner Vacate Ab Initio Respondent
5	Order and Default in this matter;
6	B. Grant such further relief as is just and in the public interest.
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8	Respectfully submitted by:
9	/s/ 7/26/12
10	Maryam Torben Desfosses Date   Hearings Examiner Date
11	
12	ORDER
13	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> .
14	The Order to Show Cause With Immediate Suspension And Cease and Desist and the
15	Order for Default Judgment in 07-078 as to Respondent
16	hereby <b>VACATED</b> <i>AB INITIO</i> this <u>30th</u> day of July, 2012.
17	SO ORDERED,
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19	/s/ RONALD A. WILBUR
20	BANK COMMISSIONER
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	Motion to Vacate - 2