

1 State of New Hampshire Banking Department

2 In re the Matter of:)Case No.: 07-176
3 State of New Hampshire Banking)
4 Department,) Motion to Vacate Ab Initio Gary Delally
5 Petitioner,) from Cease and Desist Order
6 and)
7 Great Rate Mortgage Inc., et al.,)
8 Respondents)
9)

MOTION TO VACATE GARY DELALLY ORDER AB INITIO

10 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above
11 captioned case, and moves to vacate ab initio the Order to Show Cause and
12 Cease and Desist ("Order") in this matter as to Respondent Gary Delally ("Gary
13 Delally") and states as follows:

- 14 1. Gary Delally was served with the Order in this matter.
- 15 2. Since the entry of the Order, Gary Delally has provided the Department
16 additional information which exculpates Gary Delally from liability
17 for Docket #07-176.
- 18 3. Based on the above factors, the Petitioner now wishes to withdraw the
19 Order and allegations therein as to Gary Delally.

20 WHEREFORE, Petitioner respectfully requests

- 21 A. The Commissioner Vacate ab initio the Cease and Desist Order in this
22 case as to Gary Delally; and
- 23 B. Grant such further relief as is just and in the public interest.

24 Respectfully submitted by:

25 _____ /s/
Maryam Torben Desfosses
Hearings Examiner

June 7, 2011
Date

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ORDER

Finding it in the public interest, the requested relief is hereby **GRANTED**.

The Cease and Desist Order in 07-176 as to Gary Delally is hereby **VACATED AB**

INITIO this 8th day of June, 2011.

/s/
RONALD A. WILBUR
BANK COMMISSIONER