**State of New Hampshire Banking Department**

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|---|---|
| In re the Matter of: | )Case No.: 10-313 |
| | ) |
| State of New Hampshire Banking) | |
| | ) |
| Department, | ) |
| | ) |
| Department, | ) **Motion to Vacate *Ab Initio* ████████** |
| | ) **from the September 27, 2011 Order to Show** |
| and | ) **Cause and Cease and Desist** |
| | ) |
| Discount Mortgage Relief (d/b/a) | |
| | ) |
| Mortgage Relief, LLC and INQB8,) | |
| | ) |
| LLC), John Common (a/k/a ██████) | |
| | ) |
| ████ Libby Muelhaupt, and) | |
| | ) |
| Bruce Spurlock, | ) |
| | ) |
| Respondents | ) |
| | ) |

**MOTION TO VACATE *AB INITIO***

Now comes Maryam Torben Desfosses, on behalf of New Hampshire Banking Department ("Department") in the above captioned matter, and moves to vacate *ab initio* the September 27, 2011 Order to Show Cause and Cease and Desist ("Order") in this matter as to Respondent ████████████ (named as ████████ in the Order) and states as follows:

1. Respondent John Common (whose a/k/a was listed as ████████████ was served with the Order in this matter on November 11, 2011 in ████ ████████ Respondent ████████████ was not served at any other address.

2. Since the entry of the Order, Respondent ████████████ counsel filed a request to have Respondent ████████████ removed from the Order and provided additional information which demonstrates

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|---|---|
| 1 | Respondent ████████ is not the same individual as Respondent |
| 2 | John Common. |
| 3 | 3. In response to Respondent ████████ request to remove him from |
| 4 | the Order, the Department moves to vacate *ab initio* Respondent ████ |
| 5 | ████ from the Order. |
| 6 | 4. Based on the above factors, the Department now wishes to withdraw the |
| 7 | Order and allegations therein as to Respondent ████████ |
| 8 | WHEREFORE, Department respectfully requests |
| 9 | A. The Commissioner Vacate *Ab Initio* Respondent ████████ from the |
| 10 | Order in this matter; |
| 11 | B. Grant such further relief as is just and in the public interest. |
| 12 | |
| 13 | Respectfully submitted by: |
| 14 | |
| 15 | /s/                                              06/06/12 |
| | Maryam Torben Desfosses                Date |
| | Hearings Examiner |
| 16 | |
| 17 | **ORDER** |
| 18 | Finding it in the public interest, the requested relief is hereby **GRANTED**. |
| 19 | The Order to Show Cause and Cease and Desist in 10-313 as to Respondent |
| 20 | ████████ is hereby **VACATED *AB INITIO*** this __6th__ day of June, 2012. |
| 21 | SO ORDERED, |
| 22 | |
| 23 | /s/ |
| | RONALD A. WILBUR |
| 24 | BANK COMMISSIONER |
| 25 | |