

State of New Hampshire
Banking Department

In re:)	Case Nos.: 12-233 & 12-253
)	
State of New Hampshire Banking)	
)	
Department,)	Entry of Default Judgment
)	
Petitioner,)	
)	
and)	
)	
BayBurg Financial, Inc. and Adam M.)	
)	
Bayer, President of BayBurg Financial, Inc.,)	
)	
Respondents.)	
)	

Now comes the petitioner, the State of New Hampshire Banking Department (the “Department”), entering default judgment on the Order to Show Cause against the respondents, BayBurg Financial, Inc. and Adam M. Bayer, President of BayBurg Financial, Inc.

On August 29, 2012, the Banking Commissioner ordered the respondents to show cause why the Banking Commissioner should not direct the respondents to: (1) “comply with RSA 397-A:12, V and pay the examination fee of \$727.60”; (2) “pay an administrative fine of \$2,500 for knowingly violating RSA 397-A:12, V”; and (3) “pay an administrative fine of \$2,500 for knowingly violating RSA 397-A:12, VII.” (N.H. Banking Dep’t v. BayBurg Financial, et al., Nos. 12-233 & 12-253 (Aug. 29, 2012) (Order to Show Cause).) The Order to Show Cause included a Notice of Right to a Hearing which stated that “[i]f the respondents fail ‘to request a hearing within 30 calendar days of receipt or valid delivery of [this Order to Show Cause] . . . such person shall be deemed in default’” Id.

On August 30, 2012, the Department sent the Order to Show Cause via certified mail with return receipt requested to Adam M. Bayer, President, BayBurg Financial, Inc., 2972 NW 60th Street, Ft. Lauderdale, FL 33309. Mr. Bayer received the Order to Show Cause on September 4, 2012. Mr. Bayer failed to request a hearing within 30 calendar days of September 4, 2012. On October 5, 2012, the Order to Show Cause became permanent and shall remain in full force and effect until and unless later modified or vacated by the Banking Commissioner, for good cause shown. See RSA 397-A:17, I.

Pursuant to RSA 3970A:17, I, upon review of the Order to Show Cause, the Banking Commissioner orders as follows:

1. The respondents are deemed in default;
2. The allegations in the Order to Show Cause are deemed true;
3. The respondents shall immediately pay the examination fee of \$727.60;
4. The respondents shall immediately pay an administrative fine of \$2,500 for knowingly violating RSA 397-A:12, V; and
5. The respondents shall immediately pay an administrative fine of \$2,500 for knowingly violating RSA 397-A:12, VII.

RECOMMENDED by:

10/17/12
Date

_____/s/
Emelia A.S. Galdieri
N.H. Bar #19840
Hearings Examiner
State of New Hampshire Banking Department

ORDERED by:

10/17/12
Date

_____/s/
Ronald A. Wilbur
State of New Hampshire Bank Commissioner

CERTIFICATE OF SERVICE

I, Emelia A.S. Galdieri, hereby certify that on 17 October 2012, a copy of this Entry of Default Judgment was sent to the following parties via U.S. Certified Mail First Class:

Adam M. Bayer, President
BayBurg Financial, Inc.
2972 NW 60th Street
Ft. Lauderdale, FL 33309

_____/s/_____
Emelia A.S. Galdieri
N.H. Bar #19840
Hearings Examiner
State of New Hampshire Banking Department