In re Cash Web USA

Case No. 12-447

## **Entry of Default Judgment**

Now comes the State of New Hampshire Banking Department (the "Department") entering a default judgment on the Order to Cease and Desist against the respondent, Cash Web USA.

On June 12, 2013, the Bank Commissioner ordered the respondent to: "cease and desist from violating RSA Chapter 399-A and any rules or order under RSA Chapter 399-A"; (2) "disgorge any finance charges, delinquency charges, or collection charges associated with the . . . consumers' accounts"; (3) pay "an administrative fine of \$2, 500 for knowingly or negligently violating RSA 399-A:2, I when it engaged in the business of making a small loan or payday loan to Consumer A without first obtaining a license from the Department"; (4) pay "an administrative fine of \$2,500 for knowingly or negligently violating RSA 399-A:2, I when it engaged in the business of making RSA 399-A:2, I when it engaged in the business of making a small loan or payday loan to Consumer A without first obtaining a license from the Department"; (4) pay "an administrative fine of \$2,500 for knowingly or negligently violating RSA 399-A:2, I when it engaged in the business of making a small loan or payday loan to Consumer B without first obtaining a small loan or payday loan to Consumer B without first obtaining a license from the Department." In re Cash Web USA, No 12-447 (Order to Cease and Desist June 12, 2013).

The Order to Cease and Desist included a Notice of Right to a Hearing which stated that "if the respondent 'fails to request a hearing within 30 calendar days of receipt of such order, then such person shall likewise be deemed in default, and the order shall, on the thirty-first day, become permanent, and shall remain in full force and effect until and unless later modified or vacated by the commissioner, for good cause shown."" On June 12, 2013, the Department sent the Order to Cease and Desist via certified mail with return receipt requested to an address associated with the respondent. Additionally, the Department posted the Order to Cease and Desist at <a href="http://www.nh.gov/banking">http://www.nh.gov/banking</a> on or about June 12, 2013.

The U.S. Postal Service notified the respondent of receipt of the correspondence containing the Order on June 17, 2013. The respondent failed to claim the correspondence and the Order was returned to the Department on July 15, 2013.

The respondent failed to request a hearing on the Order to Cease and Desist. Accordingly, on July 13, 2013, the Order to Cease and Desist 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. <u>See</u> RSA 399-A:8, I.

## **Recommended by:**

07/25/13 Date

/s/

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

## **Default judgment entered by:**

07/25/13 Date /s/

Glenn A. Perlow Bank Commissioner State of New Hampshire Banking Department

## **CERTIFICATE OF SERVICE**

I, Emelia A.S. Galdieri, hereby certify that on July 25, 2013, a copy of this Entry

of Default Judgment was sent to the following parties via U.S. Certified Mail First Class:

Tim Shields Dellinger Financial 4949 Timber Ridge Rd. Marietta, GA 30068

/s/

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

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