

**State of New Hampshire
Banking Department**

In re:)	Case No.: 12-492
)	
American Trust Mortgage, Inc., Paul J.)	
)	
Mignone as President of American Trust)	Consent Order:
)	Storage and Retention of Consumer
Mortgage, Inc.,)	Files and Financial Information
)	
Respondents.)	
)	
)	

The State of New Hampshire Banking Department (the “Department”) and the Bank Commissioner acting in agreement with the respondents, American Trust Mortgage, Inc. (“American Trust”), Paul J. Mignone as President of American Trust, find and order as follows:

CONSENT AND ACKNOWLEDGMENTS

1. The respondents have voluntarily entered into this Consent Order without reliance upon any discussions between the Department and the respondents, without the promise of a benefit of any kind (other than the concessions contained in this Consent Order), and without threats, force, intimidation, or coercion of any kind.
2. The respondents acknowledge, understand, and agree that they have a right to notice, hearing, civil action, and/or appeal related to this Consent Order, and hereby waive those rights.
3. The respondents represent and warrant that they have all the necessary rights, powers, and abilities to carry out all of the terms of this Consent Order that are applicable to the respondents.
4. The respondents acknowledge that the Department is relying upon the respondents’ representations and warranties stated herein in making its determinations in this matter.

ORDER

5. In accordance with the terms of the Consent Order executed on December 27, 2012 between the respondents and the Department, American Trust shall be responsible for the secure storage of all consumer files and financial information, including a copy of any digital and/or electronic consumer files and information, for a period of three (3) years from the date of this Order.
6. All consumer files and financial information shall be maintained in their current form and format.
7. These consumer files and financial information shall be transmitted to Simple Storage – Peabody, 244 Andover St., Peabody, MA 01960 (the “storage facility”) no later than Thursday, January 31, 2013 at 5:00 p.m.
8. American Trust shall pre-pay the storage facility for three (3) years of secure storage for these consumer files and financial information.
9. The contract between American Trust and the storage facility shall provide the Department with full access to the consumer files and financial information.
10. At the end of three (3) years from the date of this Order, American Trust shall ensure that all consumer files and financial information are destroyed.
11. If the Department finds that the respondents knowingly or willfully withheld information used and relied upon in this Consent Order, the Department may revoke this Consent Order and pursue any and all remedies available under law.
12. This Consent Order is binding on all heirs, assigns, and/or successors in interest.

Recommended by:

01/31/13
Date

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

Executed by:

01/29/13
Date

/s/
Representative of American Trust Mortgage, Inc.

01/29/13
Date

/s/
Paul J. Mignone
President, American Trust Mortgage, Inc.

SO ORDERED.

01/31/13
Date

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