

1 **State of New Hampshire Banking Department**

2 **In re the Matter of:** ) **Case No.: 14-061**  
 )  
 3 **State of New Hampshire Banking** )  
 )  
 4 **Department,** ) **Notice of Hearing**  
 )  
 5 **Petitioner,** )  
 )  
 6 **and** )  
 )  
 7 **Arrowhead Motors, LLC, Gregory P. Belisle** )  
 )  
 8 **and Mark L. Limoges, Respondents** )  
 )  
 9 **Respondents** )  
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11 **NOTICE OF HEARING**

12 1. The Deputy Commissioner issued to the above named Respondents (“Respondents”) an  
 13 Order to Show Cause for License Revocation of Respondent Arrowhead Motors, LLC’s New  
 14 Hampshire Retail Seller License (“Order”) on February 11, 2015, pursuant to RSA Chapter  
 15 541-A, RSA 361-A, and RSA 383:10-d. RSA 361-A requires that a hearing be requested  
 16 within 30 calendar days of receipt of the Order. It also requires that a hearing be scheduled on  
 17 such matter within ten (10) calendar days of a written request for hearing unless otherwise  
 18 waived by the Respondents.

19 2. Maryam Torben Desfosses, New Hampshire Banking Department Consumer Credit  
 20 Division, has been designated as Staff Representative in this matter with authority to represent  
 21 the public interest within the scope of the Department’s authority (“Staff Representative”). The  
 22 Staff Representative shall have the status of a party to this proceeding. The Staff  
 23 Representative may be reached at (603)271-3561.  
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1 3. Stephen J. Judge, Esquire, a member of Wadleigh, Starr & Peters PLLC, (“Presiding  
2 Officer”) has been delegated to preside over this matter pursuant to RSA 383:7-a and see also  
3 RSA 541-A:1,XV.

4 4. On March 9, 2015, Respondents filed a timely request for hearing seeking a hearing  
5 scheduled sometime after March 17, 2015.

6 5. On March 16, 2015, the Respondent formally waived the requirement that a hearing be  
7 scheduled within ten (10) calendar days of a written request for a hearing.

8 6. On March 27, 2015, the Staff Representative notified the Presiding Officer that the parties  
9 were in discussion regarding this matter and requested a hearing not be scheduled at this time,  
10 further stating that the parties will update the Presiding Officer within two weeks. This request  
11 was granted on March 27, 2015.

12 7. On April 9, 2015, the Staff Representative notified the Presiding Officer that the parties  
13 were continuing to attempt to resolve this matter and requested an additional two weeks. This  
14 request was granted on April 9, 2015.

15 8. On April 24, 2015, the Staff Representative notified the Presiding Officer, with a copy to  
16 Respondent’s counsel, that the parties had been unable to resolve this matter and requested a  
17 hearing be scheduled.

18 9. On April 27, 2015, the Presiding Officer proposed to the parties a hearing date of May 21,  
19 2015 and requested he be notified if any party had a conflict with that date. Neither party has  
20 reported any conflict with the proposed hearing date.

21 IT IS HEREBY ORDERED that:

22 10. The parties shall appear on May 21, 2015, at 10:00 a.m., at the New Hampshire Banking  
23 Department located at 53 Regional Drive, Suite 200, Concord, New Hampshire 03301, for the  
24 purpose of participating in an adjudicative proceeding, at which time Respondent will have the  
25

1 burden to show cause why the relief sought in the Order should not be imposed. RSA 361-A:  
2 3, I; RSA 541-A: 30, II.

3 11. The Hearing shall be conducted under the relevant provisions of RSA 541-A, Title XXXI-  
4 A and XXXV, the Jus 800 rules  
5 [http://www.gencourt.state.nh.us/rules/state\\_agencies/jus800.html](http://www.gencourt.state.nh.us/rules/state_agencies/jus800.html) and all relevant Ban rules.

6 12. The Department's allegations against Respondents are contained in the Order to Show  
7 Cause.

8 13. Each party has the right to have an attorney present to represent the party at the party's  
9 expense, or may represent itself or himself.

10 14. Any proposed exhibits shall be pre-marked, for identification only, filed with the Presiding  
11 Officer and provided to the opposing party 7 days before the Hearing. The Staff Representative  
12 shall pre-mark exhibits with Arabic numbers. Respondents shall pre-mark exhibits with capital  
13 letters. An index/list of exhibits providing a brief description of each exhibit with its  
14 corresponding pre-marked number or letter shall be filed by both parties simultaneous with the  
15 filing of exhibits.

16 15. The parties shall also exchange a list of all witnesses to be called at the hearing with a brief  
17 summary of the anticipated testimony 7 days before the Hearing and shall at the same time file  
18 a copy of their respective lists with the Presiding Officer.

19 16. If a party fails to appear at the time, date, and place specified the Presiding Officer shall  
20 declare the party in default. The Presiding Officer shall either (a) Dismiss the case, if the party  
21 with the burden of proof fails to appear; or (b) Hear the testimony and receive the evidence  
22 offered by a party, if that party has the burden of proof in the case. Jus 810.02

23 17. The entirety of all verbal proceedings shall be recorded verbatim by the Department. Upon  
24 request of any party, or upon the Presiding Officer's own initiative, such record shall be  
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1 transcribed by a certified court reporter designated by the Presiding Officer. If transcription is  
2 requested by a party, all costs shall be borne solely by the requesting party.

3 18. Each party has the right to have the Presiding Officer provide a certified shorthand court  
4 reporter at the requesting party's expense. Any such request shall be submitted in writing to the  
5 Presiding Officer within two (2) days of the receipt of this Notice.

6 19. All documents shall be filed with the Presiding Officer in the form of an original and one  
7 (1) copy and shall bear a certification that a copy is being delivered to the Staff Representative  
8 and any other parties to this matter in accordance with applicable laws. All documents shall be  
9 filed by mailing or delivering them to the New Hampshire Banking Department, ATTN:

10 Presiding Officer, 53 Regional Drive, Suite 200, Concord, NH 03301. Filing by  
11 electronic transmission shall be accepted at [presidingofficer@banking.state.nh.us](mailto:presidingofficer@banking.state.nh.us)

12 20. All motions shall bear a certification that assent has been sought and whether the other  
13 party has responded, assents or objects.

14 21. Pursuant to Jus 803.03, the Presiding Officer waives the requirement in Jus 806.01 that  
15 objections be filed within 30 days of the date of the motion and orders that objections be filed  
16 within 12 days of receipt of a motion.

17 22. The parties may submit Proposed Orders, which shall include findings of fact and  
18 conclusions of law, separately stated, no later than twelve (12) days following the conclusion of  
19 the hearing in this matter.

20 21. The parties may discuss and agree on routine procedural issues. Any such agreement shall  
21 be proposed to the Presiding Officer. All communications with the Presiding Officer shall be in  
22 writing and shall be filed as provided above. *Ex parte* communications are forbidden by  
23 statute.

24 22. A copy of this Notice of Hearing shall be mailed to all named Respondents, and a copy  
25 shall also be delivered to the Staff Representative.

