

1 State of New Hampshire Banking Department

2 In re the Matter of: ) Case No.: 06-016  
3 State of New Hampshire Banking )  
4 Department, ) Cease and Desist Order  
5 Petitioner, )  
6 and ) Motion to Vacate Ab Initio  
7 Cash Reserve, )  
8 Respondents )

9 MOTION TO VACATE PREVIOUS ORDER AB INITIO

10 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above  
11 captioned case, and moves to vacate ab initio the Cease and Desist Order  
12 ("Order") in this matter and states as follows:

- 13 1. The above Respondents were properly served with the Order in this
- 14 matter on or about February 16, 2006.
- 15 2. Since the advent of the Order, the Department has developed additional
- 16 information, rendering the Respondents' liability in this matter moot.
- 17 3. Based on the above factors, the Petitioner now wishes to withdraw the
- 18 Staff Petition that initiated the Order.

WHEREFORE, Petitioner respectfully prays

- 19 A. The Commissioner Vacate ab initio the Cease and Desist Order in this
- 20 case; and
- 21 B. Grant such further relief as is just and in the public interest.

22 Respectfully submitted by:

23  
24                  /s/  
Maryam Torben Desfosses  
25 Hearings Examiner

12/18/09  
Date

ORDER

Finding it in the public interest, the requested relief is hereby **GRANTED**. The Cease and Desist Order in 06-016 is hereby **VACATED AB INITIO** this 18th day of December, 2009.

/s/

PETER C. HILDRETH  
BANK COMMISSIONER