

1 State of New Hampshire Banking Department

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3 In re the Matter of: ) Case No.: 07-234  
 )  
 4 State of New Hampshire Banking ) Order to Show Cause  
 )  
 5 Department, ) With Immediate Suspension  
 )  
 6 and ) Cease and Desist Order  
 )  
 7 First Magnus Financial Corporation, ) CONSENT ORDER  
 )  
 8 Gurpreet Jaggi, Thomas W. Sullivan, )  
 )  
 9 Sr. and, Thomas W. Sullivan, Jr., )  
 )  
 10 Respondents )  
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11  
12 CONSENT ORDER

13 I. For purposes of settling the above-referenced matter, among other  
14 things, the New Hampshire Banking Department (hereinafter referred to  
15 as "the Department") and Respondents, do hereby enter this Agreement  
and stipulate to the following:

- 16 1. Respondent First Magnus Financial Corporation (hereinafter referred  
17 to as "FMF") was licensed to conduct mortgage banking activity by  
18 the Department pursuant to RSA 397-A:3.
- 19 2. The Respondents were issued an Order to Show Cause and Cease and  
20 Desist Order (the "Department Orders") on or about August 20,  
21 2007.
- 22 3. Respondents requested a hearing on the Department Orders.
- 23 4. A hearing on the Department Orders was scheduled and subsequently  
24 continued to allow negotiations between the Department and  
Respondents.
- 25 5. The Respondents are winding down operations in New Hampshire and  
are not going to reapply for mortgage related licensure in New

1 Hampshire in any capacity for one year from the signing of this  
2 agreement.

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4 II. For purposes of amicably resolving and closing the above-referenced  
5 matters the Respondents agree to the following terms and conditions and the  
6 Department accepts the same:

- 7 1. The Respondents agree that they have voluntarily entered into this  
8 Agreement without reliance upon any discussions between the  
9 Department and Respondents, without promise of a benefit of any kind  
10 (other than concessions contained in this Agreement), and without  
11 threats, force, intimidation, or coercion of any kind. The  
12 Respondents further acknowledge their understanding of the nature of  
13 the offenses stated above, including the penalties provided by law.
- 14 2. The Respondents agree to waive any and all rights to a hearing and  
15 appeal thereof.
- 16 3. The Respondents agree that they will not deny the factual basis for  
17 this Agreement to which they have stipulated above and will not give  
18 conflicting statements about such facts or their involvement in the  
19 stipulated facts.
- 20 4. The Respondents agree that all terms of this Agreement are  
21 contractual and none is a mere recital.
- 22 5. Without admitting or denying liability, for the purposes of settling  
23 outstanding matters with the Department, the Respondents agree to  
24 pay to consumers the amount listed in a non-public addendum to this  
25 agreement contemporaneously with this agreement. The aggregate  
amount of said payments being \$24,967.80. The Respondents will make  
payments as set forth in the addendum.
6. The Respondents acknowledge they are jointly and severally liable  
for the payments referenced above.
7. The Respondents acknowledge that failure to make payment as agreed  
above or further violations of law will result in license action and  
administrative fines.
8. FMF consents to having its license revoked.
9. Each person who signs this Consent Order in a representative  
capacity warrants that his or her execution of this Consent Order is

1           duly authorized, executed, and delivered by and for the entity for  
2           which he signs.

3 This Agreement represents the complete and final resolution of, and discharge  
4 of any basis for any civil or administrative proceeding by the Department  
5 against the Respondent for violations arising as a result of or in connection  
6 with any actions or omissions by the Respondent through the date of this  
7 Order as it applies to the allegations contained in the Department Orders;  
8 provided, however, this release does not apply to facts not known by the  
9 Department or not otherwise provided by the Respondent to the Department as  
10 of the date of this Order nor does it prohibit any consumer from bringing an  
11 action under RSA 383:10-d. The Department expressly reserves its right to  
12 pursue any administrative or civil action or remedy available to it should  
13 the Respondent breach this Agreement or in the future violate the Act or  
14 rules and orders promulgated thereunder.

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1 **WHEREFORE**, based on the foregoing, we have set our hands to this Agreement,  
2 with it taking effect upon the signature of Peter C. Hildreth, Bank  
3 Commissioner.

4 Recommended this 4th day of December, 2007 by

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6 */S/*  
James Shepard, Staff Attorney, Banking Department

7 Executed this 4th day of December, 2007.

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Jeanne Herrick, as representative for all Respondents

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11 **FINDING THE ABOVE CONSENT ORDER AND THE AGREEMENTS CONTAINED THEREIN TO BE IN**  
12 **THE PUBLIC INTEREST IT IS;**

13 **SO ORDERED**

14 this 4th day of December, 2007.

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17 */S/*  
Peter C. Hildreth,  
Bank Commissioner

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