1 State of New Hampshire Banking Department In re the Matter of: 2 3 State of New Hampshire Banking)Case No.: 08-046 4 Department, 5 Petitioner, 6 and 7 Summit Mortgage, LLC (d/b/a SMT Motion To Vacate Respondent Peter Rothschild 8 Mortgage), Richard S. Fedele, Richard L. Bready, and Peter Rothschild, 9 10 Respondents 11 MOTION TO VACATE 12 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above 13 captioned case, and moves to vacate the Order to Show Cause and the Default 14 Judgment ("Orders") in this action as to Respondent Peter Rothschild 15 ("Respondent Rothschild") only and for cause states as follows: 16 1. Since the advent of the Orders, the New Hampshire Banking 17 Department ("Department") has received additional information that 18 renders Respondent Rothschild's liability in this action (Docket 19 08-046) moot. 20 2. Based on the above factors, the Petitioner now wishes to vacate 21 Respondent Rothschild from the January 2, 2009 Staff Petition that 22 initiated the Orders against Respondent Summit Mortgage, LLC (d/b/a 23 SMT Mortgage) ("Respondent Summit Mortgage"), Respondent Richard S. Fedele ("Respondent Fedele"), Respondent Richard L. 24 Bready 25 ("Respondent Bready"), and Respondent Rothschild.

1	3. Based on the above factors, the Petitioner now wishes to vacate
2	Respondent Rothschild from the May 12, 2009 Default Judgment.
3	4. Respondents Summit Mortgage, Respondent Fedele and Respondent
4	Bready are heretofore still named Respondents in this action and
5	the Orders are still valid as to those named Respondents.
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7	Wherefore, Petitioner respectfully prays:
8	A. The Commissioner vacate the Orders only as to Respondent Peter
9	Rothschild in this specific action (Docket 08-046); and
10	B. Grant such other relief as is just and in the public interest.
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12	Respectfully submitted by:
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14	/s/ Maryam Torben Desfosses August 20, 2010 Date
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17	ORDER
18	Finding it in the public interest, the requested relief is hereby GRANTED.
19	The Order to Show Cause and Default Judgment in 08-046 as to Respondent
20	Peter Rothschild only are hereby VACATED this <u>24th</u> day of <u>August</u> , 2010.
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22	/s/ Robert A. Fleury for Peter C. Hildreth
23	Bank Commissioner
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