1 State of New Hampshire Banking Department In re the Matter of: 2)Case No.: 08-109 State of New Hampshire Banking 3) 4 Department,)Order to Show Cause 5 Petitioner, 6 and)Motion to Dismiss 7 Foremost Mortgage Associates Inc, and) 8 Michael N. Keselica,)) 9 Respondents) 10 11 MOTION TO DISMISS 12 Now comes Celia Leonard, on behalf of Petitioner in the above captioned case, 13 and moves to dismiss the penalties in the Order to Show Cause ("Order") in this matter and states as follows: 14 1. The above Respondents were properly served with the Order in this 15 16 matter on or about June 18, 2009. 17 2. Since the advent of the Order, the above named Respondents have paid 18 the outstanding invoice for examination, the administrative fine for 19 failure to facilitate the 2007 examination and the fine for the late 20 the 2006 examination materials which served as filing of the 21 underlying allegations of the Order. 22 3. Based on the above factors and as a sign of good faith and 23 administrative efficiency, the Petitioner now wishes to dismiss the penalties within the Staff Petition that initiated the Order. 24 25

| 1 | WHEREFORE, Petitioner respectfully prays |
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| 2 | A. The Commissioner dismiss the penalties in the Order to Show Cause in |
| 3 | this case; and |
| 4 | B. Grant such further relief as is just and in the public interest. |
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| 6 | Respectfully submitted by: |
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| 8 | /s/ 08/20/09 Celia Leonard Date |
| 9 | General Counsel |
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| 11 | ORDER |
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| 13 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 08-109 are hereby DISMISSED this |
| 14 | <u>24th</u> day of <u>August</u> , 2009. |
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| 16 | /s/ PETER C. HILDRETH BANK COMMISSIONER |
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| | Motion to Dismiss - 2 |