1 State of New Hampshire Banking Department In re the Matter of: 2)Case No.: 08-111 State of New Hampshire Banking 3 4 Department,)Order to Show Cause 5 Petitioner, 6 and)Motion to Dismiss 7 Frankie Damiano (d/b/a A Better Choice) 8 Mortgage Company), and Frankie Damiano,) 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 14 this matter and states as follows: 15 1. The above Respondents were properly served with the Order in this 16 matter on or about June 19, 2009. 17 2. Since the advent of the Order, the above named Respondents have paid 18 the outstanding invoice for examination and filed the 2007 Annual 19 Report, which served as the underlying allegations of the Order. 20 3. Based on the above factors and as a sign of good faith and administrative efficiency, the Petitioner has waived the outstanding 21 22 fine of \$2,500.00 for failing to file the 2007 Annual Report. 23 4. Based on the above factors and as a sign of good faith and administrative efficiency, the Petitioner now wishes to dismiss the 24 25 penalties within the Staff Petition that initiated the Order.

1	WHEREFORE, Petitioner respectfully prays
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/ 09/15/09 Celia Leonard Date
9	General Counsel
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12	ORDER
13	Finding it in the public interest, the requested relief is hereby GRANTED .
14	The penalties in the Order to Show Cause in 08-111 are hereby DISMISSED this <u>15th</u> day of <u>September</u> , 2009.
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16	/s/ PETER C. HILDRETH
17	BANK COMMISSIONER
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