

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 08-111
)
 3 State of New Hampshire Banking)
)
 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)
)

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
 21 administrative efficiency, the Petitioner has waived the outstanding
 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
 24 administrative efficiency, the Petitioner now wishes to dismiss the
 25 penalties within the Staff Petition that initiated the Order.

