

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 08-132
)
 3 State of New Hampshire Banking)
)
 4 Department,) Order to Show Cause
)
 5 Petitioner,)
)
 6 and) Motion to Dismiss
)
 7 Best Rate Funding Corp, and Wade)
)
 8 Womack,)
)
 9 Respondents)
)

10 MOTION TO DISMISS

11 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above
12 captioned case, and moves to dismiss the penalties against Respondent Wade
13 Womack ("Respondent Womack") in the Order to Show Cause ("Order") in this
14 matter and states as follows:

- 15 1. Respondent Womack was properly served with the Order in this matter on
- 16 or about February 11, 2009.
- 17 2. Since the issuance of the Order, Respondent Womack has provided the
- 18 New Hampshire Banking Department ("Department") with mitigating
- 19 evidence.
- 20 3. Based on the above and as a sign of good faith and administrative
- 21 efficiency, the Petitioner now wishes to dismiss the penalties against
- 22 Respondent Womack within the Staff Petition that initiated the Order.

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1 WHEREFORE, Petitioner respectfully prays

2 A. The Commissioner dismiss the penalties against Respondent Womack in
3 the Order to Show Cause in this case; and

4 B. Grant such further relief as is just and in the public interest.
5

6 Respectfully submitted by:

7
8 /s/
Maryam Torben Desfosses
9 Hearings Examiner

November 23, 2010
Date

10
11 **ORDER**

12
13 Finding it in the public interest, the requested relief is hereby **GRANTED**.
14 The penalties against Respondent Womack in the Order to Show Cause in 08-132
15 are hereby **DISMISSED** this 23rd day of November, 2010.

16 /s/ Robert A. Fleury for
PETER C. HILDRETH
17 BANK COMMISSIONER
BY: ROBERT A. FLEURY
18 DEPUTY BANK COMMISSIONER
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