

1 State of New Hampshire Banking Department

2	In re the Matter of:)Case No.: 08-137
)
3	State of New Hampshire Banking)
)
4	Department,)Order to Show Cause
)
5	Petitioner,)
)
6	and)Motion to Dismiss Penalties and
)Strike Default Judgment
7	American Money Centers Inc, and)
)
8	Kenneth L. Cascella,)
)
9	Respondents)
)

10
11 MOTION TO DISMISS PENALTIES AND STRIKE DEFAULT JUDGMENT

12 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above
13 captioned case, and moves to dismiss the penalties in the Order to Show Cause
14 ("Order") and strike the Default Judgment ("Default") in this matter and
15 states as follows:

- 16 1. The Department attempted service of the Order on the above named
- 17 Respondents in this matter via U.S. Certified Mail Return Receipt
- 18 requested on or about January 21, 2009. The Order was returned as
- 19 "Attempted - Not Known."
- 20 2. The Commissioner accepted service of the Order on March 3, 2009.
- 21 3. A Default Judgment was issued on May 12, 2009.
- 22 4. Since the advent of the Order and Default, the above named Respondents
- 23 have paid the outstanding invoice for examination, which served as the
- 24 underlying allegation of the Order.
- 25 5. Based on the above factors and as a sign of good faith and

