## 1 State of New Hampshire Banking Department In re the Matter of: 2 )Case No.: 08-137 State of New Hampshire Banking 3 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 underlying allegation of the Order. 24

5. Based on the above factors and as a sign of good faith and

25

1	administrative efficiency, the Petitioner now wishes to dismiss the
2	penalties within the Staff Petition that initiated the Order.
3	6. Based on the above factors and as a sign of good faith and
4	administrative efficiency, the Petitioner now wishes to strike the
5	Default Judgment.
6	WHEREFORE, Petitioner respectfully prays
7	A. The Commissioner dismiss the penalties in the Order to Show Cause in
8	this case;
9	B. The Commissioner strike the Default Judgment in this case; and
10	C. Grant such further relief as is just and in the public interest.
11	Respectfully submitted by:
12	
13	/s/         04/30/10           Maryam Torben Desfosses         Date
14	Maryam Torben Desfosses Date Hearings Examiner
15	
	ORDER
16	
16 17	ORDER  Finding it in the public interest, the requested relief is hereby GRANTED.  The penalties in the Order to Show Cause in 08-137 are hereby DISMISSED and
	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> .
17	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> .  The penalties in the Order to Show Cause in 08-137 are hereby <b>DISMISSED</b> and
17 18	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> .  The penalties in the Order to Show Cause in 08-137 are hereby <b>DISMISSED</b> and the Default Judgment in 08-137 is hereby <b>STRICKEN</b> this <u>30th</u> day of <u>April</u> ,
17 18 19	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> . The penalties in the Order to Show Cause in 08-137 are hereby <b>DISMISSED</b> and the Default Judgment in 08-137 is hereby <b>STRICKEN</b> this <u>30th</u> day of <u>April</u> , 2010.
17 18 19 20	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> . The penalties in the Order to Show Cause in 08-137 are hereby <b>DISMISSED</b> and the Default Judgment in 08-137 is hereby <b>STRICKEN</b> this <u>30th</u> day of <u>April</u> , 2010.
17 18 19 20 21	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> . The penalties in the Order to Show Cause in 08-137 are hereby <b>DISMISSED</b> and the Default Judgment in 08-137 is hereby <b>STRICKEN</b> this <u>30th</u> day of <u>April</u> , 2010.
17 18 19 20 21 22	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> . The penalties in the Order to Show Cause in 08-137 are hereby <b>DISMISSED</b> and the Default Judgment in 08-137 is hereby <b>STRICKEN</b> this <u>30th</u> day of <u>April</u> , 2010.
17 18 19 20 21 22 23	Finding it in the public interest, the requested relief is hereby <b>GRANTED</b> . The penalties in the Order to Show Cause in 08-137 are hereby <b>DISMISSED</b> and the Default Judgment in 08-137 is hereby <b>STRICKEN</b> this <u>30th</u> day of <u>April</u> , 2010.