1 State of New Hampshire Banking Department)Case No.: 08-253 2 In re the Matter of: State of New Hampshire Banking 3 4 Department,)Order to Show Cause 5 Petitioner, 6 and) Motion to Dismiss Remaining Penalties) and Strike Default Judgment 7 Moreland Lending Corporation, and 8 Stephen T. Moreland, III, 9 Respondents 10 11

MOTION TO DISMISS REMAINING PENALTIES AND STRIKE DEFAULT JUDGMENT

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

- 1. The Department attempted service of the Order on the above named Respondents in this matter via U.S. Certified Mail Return Receipt requested on or about September 10, 2009. The Order was returned as "unclaimed."
- 2. The Commissioner accepted service of the Order on October 12, 2009.
- 3. A Default Judgment was issued on November 24, 2009.

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4. Since the advent of the Order and Default, the above named Respondents have paid the outstanding invoice for examination, the outstanding invoice for the late filing of the 2008 annual report and the outstanding invoice for the late filing of the financial statement,

	which served as the underlying allegation of the Order.
2	5. Since the advent of the Order and Default, the above named Respondents
3	have agreed to pay \$2,500.00 in administrative penalties.
4	6. A Motion to Strike the Default Judgment was filed by Respondents.
5	7. Based on the above factors and as a sign of good faith and
6	administrative efficiency, the Petitioner now wishes to dismiss the
7	remaining penalties within the Staff Petition that initiated the
8	Order.
9	8. Based on the above factors and as a sign of good faith and
10	administrative efficiency, the Petitioner now wishes to strike the
11	Default Judgment.
12	WHEREFORE, Petitioner respectfully prays
13	A. The Commissioner dismiss the remaining penalties in the Order to Show
14	Cause in this case;
15	B. The Commissioner strike the Default Judgment in this case; and
16	C. Grant such further relief as is just and in the public interest.
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18	Respectfully submitted by:
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20	/s/ Maryam Torben Desfosses 04/30/10 Date
21	Hearings Examiner
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Motion to Dismiss Remaining Penalties and Strike Default Judgment - 2

ORDER

Finding it in the public interest, the requested relief is hereby **GRANTED**. The remaining penalties in the Order to Show Cause in 08-253 are hereby $exttt{DISMISSED}$ and the Default Judgment in 08-253 is hereby $exttt{STRICKEN}$ this $exttt{30th}$ day of *April*, 2010.

PETER C. HILDRETH

BANK COMMISSIONER