1 State of New Hampshire Banking Department In re the Matter of: 2)Case No.: 08-258 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 Equity Advantage, LLC, and Terrence 8 Turanick, 9 Respondents 10 11 MOTION TO DISMISS REMAINING 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 remaining penalties in the Order to

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 June 16, 2009. The Order was returned as "not deliverable as addressed - unable to forward."
- 2. The Commissioner accepted service of the Order on June 23, 2009.
- 3. A Default Judgment was issued on September 29, 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 administrative fine for the failure to file the financial statement and the administrative fine for the late filing of examination materials,

which served as the underlying allegation of the Order. 1 5. A Motion to Strike the Default Judgment was requested by Respondents. 2 6. Based on the above factors and as a sign of good faith and 3 4 administrative efficiency, the Petitioner now wishes to dismiss the remaining penalties within the Staff Petition that initiated the 5 Order. 6 7 7. Based on the above factors and as a sign of good faith and administrative efficiency, the Petitioner now wishes to strike the 8 Default Judgment. 9 WHEREFORE, Petitioner respectfully prays 10 A. The Commissioner dismiss the remaining penalties in the Order to Show 11 12 Cause in this case; 13 B. The Commissioner strike the Default Judgment in this case; and C. Grant such further relief as is just and in the public interest. 14 Respectfully submitted by: 15 16 17 07/14/10 /s/ Maryam Torben Desfosses Date Hearings Examiner 18 19 ORDER 20 Finding it in the public interest, the requested relief is hereby GRANTED. 21 The remaining penalties in the Order to Show Cause in 08-258 are hereby DISMISSED and the Default Judgment in 08-258 is hereby STRICKEN this 21st day 22 of July, 2010. 23 24 /s/ Robert A. Fleury for PETER C. HILDRETH 25 BANK COMMISSIONER