

1 State of New Hampshire Banking Department

2 In re the Matter of:)Case No.: 08-317
)
 3 State of New Hampshire Banking)
)
 4 Department,)Order to Show Cause
)
 5 Petitioner,)
)
 6 and)Motion to Dismiss
)
 7 1st Palm Financial Services LLC, 1st)
)
 8 Palm Financial, Inc., Ann R. Mackey,)
)
 9 and Eric W. Reckard)
)
 10 Respondents)
)

11
12 MOTION TO DISMISS

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

- 16 1. The above Respondents were properly served with the Order in this
17 matter on or about January 10, 2009.
- 18 2. Since the advent of the Order, the above named Respondents have paid
19 the outstanding invoice for examination, the administrative fine for
20 the late filing of the 2007 annual report and the administrative fine
21 for the failure to file the 2006 financial statement, which served as
22 the underlying allegations of the Order.
- 23 3. Based on the above factors and as a sign of good faith and
24 administrative efficiency, the Petitioner now wishes to dismiss the
25 penalties within the Staff Petition that initiated the Order.

