

1 State of New Hampshire Banking Department

2 In re the Matter of:)Case No.: 08-378
)
 3 State of New Hampshire Banking)
)
 4 Department,)Order to Show Cause and Cease and
)Desist Order
 5 Petitioner,)
)
 6 and)
)Motion to Dismiss a Portion of the
 7 First Call Mortgage Company, Inc.,)Administrative Fine as to James
)Arthur Lesmerises
 8 Kathleen L. Donovan, Carl D. McFadden,)
)
 9 George Vanderheiden, Peter S. Lynch and)
)
 10 Carolyn A. Lynch as Joint Tenants,)
)
 11 James Arthur Lesmerises, David Allen)
)
 12 Kesler, Dennis Wright)
)
 13 Respondents)
)

14 MOTION TO DISMISS

15 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above
16 captioned case, and moves to dismiss a portion of the Administrative Fine in
17 the Consent Order of James Arthur Lesmerises ("Respondent Lesmerises") in this
18 matter and states as follows:

- 19 1. Respondent Lesmerises agreed to and signed a Consent Order on May 18,
 20 2009.
- 21 2. Respondent Lesmerises paid \$500.00 of the total \$2,500.00
 22 administrative fine.

23 Based on the above factors and as a sign of good faith and administrative
24 efficiency, the Petitioner now wishes to dismiss the remaining \$2,000.00
25 administrative fine within the Consent Order.

1 WHEREFORE, Petitioner respectfully prays

2 A. The Commissioner dismiss the remaining \$2,000.00 administrative fine
3 in the Consent Order of Respondent Lesmerises; and

4 B. Grant such further relief as is just and in the public interest.
5

6 Respectfully submitted by:

7
8 _____/s/_____
9 Maryam Torben Desfosses
Hearings Examiner

06/12/09
 Date

10
11 ORDER
12

13 Finding it in the public interest, the requested relief is hereby **GRANTED**.
14 The remaining administrative fine in the amount of \$2,000.00 in the Consent
15 Order of Respondent Lesmerises in 08-378 is hereby ~~DISMISSED~~ **SUSPENDED** this
16 12th day of June, 2009, pending good behavior for a period of two years from
the date of this order. PCH

17 _____/s/_____
18 PETER C. HILDRETH
BANK COMMISSIONER
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