

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 08-392
)
 3 State of New Hampshire Banking)
)
 4 Department,) Order to Show Cause
)
 5 Petitioner,)
)
 6 and) Motion to Dismiss
)
 7 Eastern Mountain Mortgage Company, and)
)
 8 Norman J. Frates, Jr.,)
)
 9 Respondents)
)

10 MOTION TO DISMISS

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

- 14 1. The above Respondents were properly served with the Order in this
 15 matter on or about February 5, 2009.
- 16 2. Since the advent of the Order, the above named Respondents have paid
 17 the outstanding invoice for examination, which served as the
 18 underlying allegation of the Order.
- 19 3. Based on the above factors and as a sign of good faith and
 20 administrative efficiency, the Petitioner now wishes to dismiss the
 21 penalties within the Staff Petition that initiated the Order.

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