1 State of New Hampshire Banking Department In re the Matter of: 2)Case No.: 09-020 State of New Hampshire Banking 3) 4 Department,)Order to Show Cause 5 Petitioner, 6 and)Motion to Dismiss 7 Foundation Mortgage Corporation, Keith) Shaughnessy, and Jeffrey Garibolto, 8)) 9 Respondents)) 10 11 MOTION TO DISMISS 12 Now comes Celia Leonard, on behalf of Petitioner in the above captioned case, 13 and moves to dismiss the penalties in the Order to Show Cause ("Order") in this matter and states as follows: 14 15 1. The above Respondents were properly served with the Order in this 16 matter on or about June 16, 2009. 17 2. Since the advent of the Order, the above named Respondents have paid 18 the outstanding invoice for examination and the fine for the late filing of examination materials, which served as the underlying 19 20 allegations of the Order. 21 3. Based on the above factors and as a sign of good faith and 22 administrative efficiency, the Petitioner now wishes to dismiss the 23 penalties within the Staff Petition that initiated the Order. 24 25 [REMAINDER OF PAGE INTENTIALLY LEFT BLANK]

Motion to Dismiss - 1

1	WHEREFORE, Petitioner respectfully prays
2	A. The Commissioner dismiss the penalties in the Order to Show Cause in
3	this case; and
4	B. Grant such further relief as is just and in the public interest.
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6	Respectfully submitted by:
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8 9	/s/08/20/09Celia LeonardDateGeneral CounselDate
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12	ORDER
13	Finding it in the public interest, the requested relief is hereby GRANTED.
14	The penalties in the Order to Show Cause in 09-020 are hereby DISMISSED this 24th day of August, 2009.
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16	/s/ PETER C. HILDRETH
17	BANK COMMISSIONER
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	Motion to Dismiss - 2