1 State of New Hampshire Banking Department In re the Matter of:)Case No.: 09-029 2 State of New Hampshire Banking 3 4 Department,)Order to Show Cause 5 Petitioner, 6 and) Motion to Dismiss 7 Lendia, LLC, Gregory G. O'Connor, and Garry F. Bates, 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 matter on or about June 22, 2009. 16 17 2. Since the advent of the Order, the above named Respondents have paid 18 the outstanding invoice for examination, which served 19 underlying allegation of the Order. 20 3. Based on the above factors and as a sign of good faith and administrative efficiency, the Petitioner now wishes to dismiss the 21 penalties within the Staff Petition that initiated the Order. 22 23 [REMAINDER OF PAGE INTENTIALLY LEFT BLANK] 24

25

| 1 | WHEREFORE, Petitioner respectfully prays |
|----|--|
| 2 | A. The Commissioner dismiss the penalties in the Order to Show Cause i |
| 3 | this case; and |
| 4 | B. Grant such further relief as is just and in the public interest. |
| 5 | |
| 6 | Respectfully submitted by: |
| 7 | |
| 8 | /s/ Celia Leonard General Counsel |
| | |
| 10 | |
| 11 | ORDER |
| 12 | <u>OND BR</u> |
| 13 | Finding it in the public interest, the requested relief is hereby GRANTED. |
| | |
| 14 | The penalties in the Order to Show Cause in 09-029 are hereby DISMISSED this 24th day of |