1 State of New Hampshire Banking Department In re the Matter of: 2)Case No.: 09-087 State of New Hampshire Banking 3 4 Department,)Order to Show Cause 5 Petitioner, 6 and) Motion to Dismiss Penalties and)Motion to Vacate Default Judgment Ab 7 Elite Financial Group, Inc. (d/b/a)Initio 8 Elite Financial Group of Massachusetts), and David M. Romanoff,) 9 10 Respondents 11 12 MOTION TO DISMISS PENALTIES AND MOTION TO VACATE DEFAULT JUDGMENT AB INITIO 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 ("Order") and vacate the Default Judgment ("Default") ab initio in this matter 15 16 and states as follows: 17 1. The above Respondents were properly served with the Order in this 18 matter via U.S. Certified Mail Return Receipt requested on or about 19 February 28, 2010. 20 2. A Default was issued on March 18, 2010.

4. Based on the above factors and as a sign of good faith and

3. Since the advent of the Default, the Department has confirmed that the

above named Respondents have paid the outstanding invoice for

examination on or about March 1, 2010, which served as the underlying

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allegation of the Order.

1	administrative efficiency, the Petitioner now wishes to dismiss the
2	penalties within the Staff Petition that initiated the Order.
3	5. Based on the above factors and as a sign of good faith and
4	administrative efficiency, the Petitioner now wishes to vacate the
5	Default Judgment ab initio.
6	WHEREFORE, Petitioner respectfully prays
7	A. The Commissioner dismiss the penalties in the Order to Show Cause in
8	this case;
9	B. The Commissioner vacate ab initio the Default Judgment in this case;
10	and
11	C. Grant such further relief as is just and in the public interest.
12	Respectfully submitted by:
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14	/s/ Maryam Torben Desfosses 04/19/10 Date
15	Hearings Examiner
16	ORDER
16 17	
	ORDER Finding it in the public interest, the requested relief is hereby GRANTED. The penalties in the Order to Show Cause in 09-087 are hereby DISMISSED and
17	Finding it in the public interest, the requested relief is hereby GRANTED .
17 18	Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-087 are hereby DISMISSED and
17 18 19	Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-087 are hereby DISMISSED and the Default Judgment in 09-087 is hereby VACATED AB INITIO this <u>19th</u> day of
17 18 19 20	Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-087 are hereby DISMISSED and the Default Judgment in 09-087 is hereby VACATED AB INITIO this <u>19th</u> day of <u>April</u> , 2010.
17 18 19 20 21	Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-087 are hereby DISMISSED and the Default Judgment in 09-087 is hereby VACATED AB INITIO this <u>19th</u> day of <u>April</u> , 2010.
17 18 19 20 21	Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-087 are hereby DISMISSED and the Default Judgment in 09-087 is hereby VACATED AB INITIO this <u>19th</u> day of <u>April</u> , 2010.
17 18 19 20 21 22 23	Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-087 are hereby DISMISSED and the Default Judgment in 09-087 is hereby VACATED AB INITIO this <u>19th</u> day of <u>April</u> , 2010.

Motion to Dismiss and Motion to Vacate Default Judgment Ab Initio - 2