## 1 State of New Hampshire Banking Department In re the Matter of: 2 )Case No.: 09-122 State of New Hampshire Banking 3 4 Department, )Order to Show Cause 5 Petitioner, 6 and ) Motion to Dismiss 7 The Mortgage Guys L.L.C. (d/b/a Jay The) Mortgage Man), Donna Portinari, and 8 Joseph Portinari, 9 10 Respondents 11 12 MOTION TO DISMISS 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 15 ("Order") in this matter and states as follows: 16 1. The above Respondents were properly served with the Order in this 17 matter on or about March 30, 2010. 18 2. Since the advent of the Order, the above named Respondents have paid 19 the outstanding invoice for examination and submitted the 2008 Annual 20 Report, which served as the underlying allegations of the Order. 21 3. Based on the above factors and as a sign of good faith and 22 administrative efficiency, the Petitioner has waived the outstanding 23 fine of \$2,500.00 for the late filing of the 2008 Annual Report. 24 4. Based on the above factors and as a sign of good faith and

administrative efficiency, the Petitioner now wishes to dismiss the

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1	penalties within the Staff Petition that initiated the Order.
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3	WHEREFORE, Petitioner respectfully prays
4	A. The Commissioner dismiss the penalties in the Order to Show Cause i
5	this case; and
6	B. Grant such further relief as is just and in the public interest.
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8	Respectfully submitted by:
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10	<u>/s/</u> <u>04/30/10</u>
11	Maryam Torben Desfosses Date Hearings Examiner
12	
13	
14	ORDER
14 15	ORDER  Finding it in the public interest, the requested relief is hereby GRANTED.
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