| 1 | State of New Hampshir | e Banking Department |
|----|--|--|
| 2 | In re the Matter of: |)Case No.: 09-123 |
| 3 | State of New Hampshire Banking |) |
| 4 | Department, |))Order to Show Cause |
| 5 | Petitioner, |) |
| 6 | and |))Motion to Dismiss |
| 7 | Blackhorse Mortgage Corporation, David |) |
| 8 | McDaniel Horn, II, and Lawrence Scott |) |
| 9 | Clark, |) |
| 10 | Respondents |) |
| 11 | |) - |
| 12 | MOTION TO | DISMISS |
| 13 | Now comes Maryam Torben Desfosses, or | n behalf of Petitioner in the above |
| 14 | captioned case, and moves to dismiss th | e penalties in the Order to Show Cause |
| 15 | ("Order") in this matter and states as f | follows: |
| 16 | 1. The above Respondents were prop | perly served with the Order in this |
| 17 | matter on or about February 22, 2 | 010. |
| 18 | 2. Since the advent of the Order, | the above named Respondents have paid |
| 19 | the outstanding invoice for | examination, which served as the |
| 20 | underlying allegation of the Orde | er. |
| 21 | 3. Based on the above factors a | and as a sign of good faith and |
| 22 | administrative efficiency, the H | Petitioner has waived the outstanding |
| 23 | statutory amount of \$2,500.00 f | for failing to file the 2008 Annual |
| 24 | Report. | |
| 25 | 4. Based on the above factors and as | a sign of good faith and |

Motion to Dismiss - 1

| 1 | administrative efficiency, the Petitioner now wishes to dismiss the | |
|--|--|--|
| 2 | penalties within the Staff Petition that initiated the Order. | |
| 3 | | |
| 4 | WHEREFORE, Petitioner respectfully prays | |
| 5 | A. The Commissioner dismiss the penalties in the Order to Show Cause in | |
| 6 | this case; and | |
| 7 | B. Grant such further relief as is just and in the public interest. | |
| 8 | | |
| 9 | Respectfully submitted by: | |
| 10 | | |
| 11 | <u>/s/</u> <u>03/08/10</u> | |
| 12 | Maryam Torben Desfosses Date Hearings Examiner Date | |
| 13 | | |
| | | |
| 14 | | |
| 14 15 | ORDER | |
| | ORDER Finding it in the public interest, the requested relief is hereby GRANTED . | |
| 15 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-123 are hereby DISMISSED this | |
| 15 16 | Finding it in the public interest, the requested relief is hereby GRANTED . | |
| 15 16 17 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. | |
| 15 16 17 18 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. | |
| 15 16 17 18 19 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. $\frac{/s/}{PETER C. HILDRETH}$ | |
| 15 16 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 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. $\frac{/s/}{PETER C. HILDRETH}$ | |
| 15 16 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 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. $\frac{/s/}{PETER C. HILDRETH}$ | |
| 15 16 17 18 19 20 21 22 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. $\frac{/s/}{PETER C. HILDRETH}$ | |
| 15 16 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 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. $\frac{/s/}{PETER C. HILDRETH}$ | |
| 15 16 17 18 19 20 21 22 23 24 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. $\frac{/s/}{PETER C. HILDRETH}$ | |
| 15 16 17 18 19 20 21 22 23 24 | Finding it in the public interest, the requested relief is hereby GRANTED . The penalties in the Order to Show Cause in 09-123 are hereby DISMISSED this <u>11th</u> day of <u>March</u> , 2010. $\frac{/s/}{PETER C. HILDRETH}$ | |