State of New Hampshire Banking Department

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3 | In re the Matter of:

) Case No. 09-133

4 | Rachel E. Nicholson,

Order Re: Motion for Immediate

Department

) Decision

v.

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)

Countrywide Home Loans Inc, et al.,

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8 This matter came to the New Hampshire Banking

Rehearing pursuant to RSA 541:3 and RSA 541:4.

("Commissioner") with authority to "investigate conduct that is or may be an

("Department") pursuant to RSA 383:10-d which vests the Banking Commissioner

unfair or deceptive act or practice under RSA 358-A and exempt under RSA

358-A:3,I or that may violate any of the provisions of Titles XXXV and XXXVI

and administrative rules adopted thereunder." It further grants the

Commissioner the authority to "order restitution for a person...adversely

affected by such conduct."

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After a full hearing, the Commissioner issued a Decision and Order in this matter on June 4, 2010 which required *inter alia* restitution be awarded to the Petitioner (the "Original Order"). On July 1, 2010, the Respondent timely filed a Motion for Rehearing pursuant to RSA 541:4 and Administrative Rule Jus 813.04. On July 2, 2010, the Petitioner timely filed a Motion for

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By Order dated July 15, 2010 and pursuant to RSA 541:5, the Original Order was suspended pending further consideration of the Parties' outstanding motions.

The Complainant submitted a Motion for Immediate Decision to the Department on November 5, 2010. An Order denying the Parties' Motions for Rehearing in this matter was issued on November 22, 2010. The Complainant's Motion for Immediate Decision is therefore HEREBY MOOT. SO ORDERED, Date:11/22/10 Peter C. Hildreth Bank Commissioner New Hampshire Banking Department By Robert A. Fleury Deputy Bank Commissioner