

1 State of New Hampshire Banking Department

2 In re the Matter of: ) Case No.: 08-211  
 )  
 3 State of New Hampshire Banking) )  
 )  
 4 Department, )  
 )  
 5 Department, ) Objection to Motion to Dismiss filed by  
 ) Express Consolidation, Inc., Randall L.  
 6 and ) Leshin, P.A. (d/b/a RLL), and Randall L.  
 ) Leshin, Esq. from the December 23, 2011  
 7 Express Consolidation, Inc.,) Order to Show Cause and Cease and Desist  
 )  
 8 Randall L. Leshin, P.A. (d/b/a) ) Assented-to Request for Hearing  
 )  
 9 RLL), Randall L. Leshin, Esq.,) )  
 )  
 10 Linda Lewis, Richard Medlock,) )  
 )  
 11 [REDACTED] Joseph Morovits,) )  
 )  
 12 [REDACTED] and [REDACTED] )  
 )  
 13 Respondents )  
 )

14  
15 OBJECTION TO MOTION TO DISMISS

16 Now comes Maryam Torben Desfosses, on behalf of New Hampshire Banking  
 17 Department ("Department") in the above captioned matter, and Objects to the  
 18 Motion to Dismiss filed by Express Consolidation, Inc., Randall L. Leshin,  
 19 P.A. (d/b/a RLL), and Randall L. Leshin, Esq. ("Respondents Express  
 20 Consolidation, Leshin P.A. and Leshin, Esq.") from the December 23, 2011  
 21 Order to Show Cause and Cease and Desist ("Motion to Dismiss") and states  
 22 as follows:

- 23 1. Respondents Express Consolidation, Leshin P.A. and Leshin, Esq. filed  
 24 the Motion to Dismiss on February 1, 2012.  
 25 2. Respondents Express Consolidation, Leshin P.A. and Leshin, Esq.

1 provided debt adjustment services to the New Hampshire consumers  
2 without a license in violation of RSA Chapter 399-D. Therefore, the  
3 Department **OBJECTS** to the Motion to Dismiss.

4 **ASSENTED-TO REQUEST FOR HEARING**

5 3. The Motion to Dismiss contains an Alternative Request for Hearing  
6 ("Request for Hearing") in which Respondents Express Consolidation,  
7 Leshin P.A. and Leshin, Esq. waive the 10-day hearing requirement.

8 4. The Department hereby **ASSENTS TO THE REQUEST FOR HEARING**. The  
9 Department further requests that the Presiding Officer issue a Notice  
10 of Hearing and schedule the hearing 60 days from the date the  
11 Presiding Officer signs the Order regarding the Department's Objection  
12 to the Motion to Dismiss in order to allow the Department to discuss a  
13 possible settlement with Respondents Express Consolidation, Leshin  
14 P.A. and Leshin, Esq.

15 WHEREFORE, Department respectfully requests

16 A. The Presiding Officer grant the Department's Objection to the Motion  
17 to Dismiss;

18 B. The Presiding Officer issue a Notice of Hearing in this matter and  
19 schedule the hearing date for 60 days from the date the Presiding  
20 Officer signs the Order regarding the Department's Objection to the  
21 Motion to Dismiss; and

22 C. Grant such further relief as is just and in the public interest.

23 Respectfully submitted by:

24  
25 \_\_\_\_\_ /s/  
Maryam Torben Desfosses  
Hearings Examiner

2/3/12  
Date

ORDER

1. Finding it in the public interest, the Department's Objection to the Motion is hereby **GRANTED**;
2. The Parties' request for a hearing in this matter is hereby **GRANTED**; and
3. The Department's Request to set the hearing date 60 days from the date the Presiding Officer signs the Order regarding the Department's Objection to the Motion to Dismiss is hereby **GRANTED** and a Notice of Hearing will be issued by the Presiding Officer.

SO ORDERED,

\_\_\_\_\_  
STEPHEN J. JUDGE, ESQ  
PRESIDING OFFICER

\_\_\_\_\_  
Date