

1 State of New Hampshire Banking Department

2 In re the Matter of:)Case No.: 09-BD-002
)
3 State of New Hampshire Banking)
)
4 Department,)
)
5 Petitioner,)Motion to Vacate: Respondents Program
)Headquarters and Mail Time Inc.
6 and) (d/b/a Mailtime, Inc.) and Julian
)Phillips
7 Mortgage and Insurance Advertising,)
)
8 LLC, (d/b/a Mortgage & Insurance)
)
9 Advertising Service LLC), Program)
)
10 Headquarters, Mail Time Inc.(d/b/a)
)
11 Mailtime, Inc.), Julian Phillips,)
)
12 Callan & Palmer, LLP (d/b/a Callan &)
)
13 Palmer Financial Advisors, LLC), David)
)
14 J. Callan,)
)
15 Respondents)
)

16 Notice of Cease and Desist Order

17 Now comes Ingrid E. White, Petitioner in the above-captioned cause, and
18 moves to vacate the Cease and Desist Order in this matter and for cause
19 states as follows:

- 20 1. A Default Judgment was issued on April 30, 2010 against Respondents
21 Mortgage and Insurance Advertising, LLC, (d/b/a Mortgage & Insurance
22 Advertising Service LLC), Callan & Palmer, LLP (d/b/a Callan & Palmer
23 Financial Advisors, LLC), and David J. Callan only (hereinafter
24 "Defaulting Respondents").
- 25 2. The remaining respondents in this matter are Program Headquarters,
Mail Time Inc. (d/b/a Mailtime, Inc.) and Julian Phillips.

- 1 3. Respondents Program Headquarters and Mail Time Inc. (d/b/a Mailtime,
2 Inc.) and Julian Phillips (hereinafter "Remaining Respondents") were
3 properly served with a Cease and Desist Order on April 28, 2010.
- 4 4. On May 6, 2010, Remaining Respondents contacted the New Hampshire
5 Banking Department ("Department") and stated that they are a direct
6 mail printing company that prepares various direct mail pieces for a
7 variety of clients and brokers and that they are not affiliated with
8 the Defaulting Respondents.
- 9 5. Remaining Respondents further stated they did not gather or create
10 any of the information contained in the solicitations; that they were
11 instructed to print a standardized letter prepared by their client
12 and to populate the variable information in each letter from lists of
13 data also provided by the client.
- 14 6. Therefore, the Department's receipt of this additional information
15 has rendered Remaining Respondents liability in this matter moot
16 since it appears they are not affiliated with Respondents Mortgage
17 and Insurance Advertising, LLC, (d/b/a Mortgage & Insurance
18 Advertising Service LLC), Callan & Palmer, LLP (d/b/a Callan & Palmer
19 Financial Advisors, LLC), and David J. Callan.
- 20 7. Based on the above factors, the Petitioner now wishes to withdraw the
21 Staff Petition, only as to Program Headquarters and Mail Time Inc.
22 (d/b/a Mailtime, Inc.) and Julian Phillips, that initiated the Cease
23 and Desist Order against Respondents Mortgage and Insurance
24 Advertising, LLC, (d/b/a Mortgage & Insurance Advertising Service
25 LLC), Program Headquarters, Mail Time Inc.(d/b/a Mailtime, Inc.),

1 Julian Phillips, Callan & Palmer, LLP (d/b/a Callan & Palmer
2 Financial Advisors, LLC), and David J. Callan.

3 **WHEREFORE**, Petitioner respectfully prays:

4 A. The Deputy Bank Commissioner vacate the Cease and Desist Order
5 only as to Respondents Program Headquarters and Mail Time Inc.
6 (d/b/a Mailtime, Inc.) and Julian Phillips; and

7 B. Grant such other relief as is just and in the public interest.

8 Respectfully submitted by:

9
10 _____ /s/
11 Ingrid E. White
Hearings Examiner, Banking Division

4/21/11
Date

12
13
14 **ORDER**

15 Finding it in the public interest, the requested relief is hereby **GRANTED**.
16 The Cease and Desist Order in Docket 09-BD-002 as to Respondents Program
17 Headquarters and Mail Time Inc. (d/b/a Mailtime, Inc.) and Julian Phillips
18 only is hereby **VACATED** this 21 day of April, 2011.
19
20

21 _____ /s/
22 Robert A. Fleury
Deputy Bank Commissioner