

State of New Hampshire
Banking Department

In re:)	Case No. 13-109
)	
New Hampshire Banking Department,)	Partial Motion to Rescind Order of
)	Production
Petitioner,)	
)	
and)	
)	
The Mortgage Specialists, Inc. and Michael)	
)	
Gill,)	
)	
Respondents)	
)	
)	
)	

PARTIAL MOTION TO RESCIND

The Petitioner, the New Hampshire Banking Department, moves that the Commissioner rescind his order of production in the above captioned case in part, stating in support the following:

1. The Mortgage Specialists, Inc. (“TMS”) and Michael Gill, Owner of TMS (“Gill”) (collectively, “Respondents”), hold New Hampshire mortgage banking licenses nos. 8964-MB, 8969-MB-BCH, 11115-MB-BCH, and 8968-MB-BCH.
2. On April 11, 2013, the Commissioner issued an Order to Show Cause and Produce Records (“Order”). The Commissioner ordered, among other things, for the Respondents to produce emails from a four month period originally requested as part of TMS’s regular examination.

3. On May 23, 2013, the Respondents delivered a computer hard drive containing a portion of the requested emails.
4. Subsequently, on June 4, 2013, the Respondents delivered a compact disk containing the remainder of the requested emails.
5. Because the Respondents have complied with the Order to Produce, the Department believes it is proper to rescind that portion of the Order.

Accordingly, the Petitioner respectfully requests the Commissioner to issue the following Order:

RECOMMENDED by:

6/5/13
Date

/s/
J. Spencer Culp
Hearings Examiner
State of New Hampshire Banking Department

ORDER

In light of the Respondents' production of the requested documents, I hereby order the following:

1. The April 11, 2013, Order, is rescinded solely to the extent it orders the Respondents to produce the required emails.
2. This does not affect the Order to Show Cause or the subsequent stay imposed on the Respondent's hearing.

ORDERED by:

6/5/13
Date

_____/s/_____
Glenn A. Perlow
Bank Commissioner

CERTIFICATE OF SERVICE

I, J. Spencer Culp, hereby certify that on June 5, 2013, a copy of this Partial Motion to Rescind was sent to the Respondents' attorney of record, Michael Parousis, Esq., at 9 Andrews Road, Somersworth, NH 03878, via U.S. Certified Mail First Class. *and the Presiding Officer by hand. JSC*

_____/s/_____
J. Spencer Culp
Hearings Examiner
New Hampshire Banking Department