

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 08-381
))
3 State of New Hampshire Banking)
))
4 Department,)
))
5 Petitioner,)
))
6 and) Order Suspending Remaining Penalties
) Owed By Christopher Derek Max From
7 Empire Equity Group, Inc. (d/b/a 1st) the May 18, 2009 Consent Order
))
8 Metropolitan of NY), Corporate Office)
))
9 Management Providers, Inc., Daniel)
))
10 Howard Jacobs, Joshua Israel Lieber,)
))
11 Ezra S. Beyman, William Dean Warren,)
))
12 and Christopher Derek Max,)
))
13 Respondents)
))

14 ORDER SUSPENDING REMAINING PENALTIES ("ORDER")

15 The State of New Hampshire Banking Department (the "Department"), finds and
16 Orders as follows:

17 **Facts**

- 18 1. Christopher Derek Max ("Respondent Max") was the Branch Manager for
19 Respondent Empire Equity Group, Inc. of Docket #08-381.
- 20 2. On May 18, 2009 the Department entered into a Consent Order with
21 Respondent Max that required the following:
- 22 a. Respondent Max would pay a total administrative penalty of \$20,000;
 - 23 b. Respondent Max was prohibited for a period of 24 months from the
24 effective date of the Consent Order (May 18, 2009) from applying for a
25 mortgage loan originator license with the Department;

1 c. Respondent Max was prohibited from conducting any New Hampshire loan
2 activity until such time as he becomes licensed by the Department; and

3 d. Respondent Max was permitted to work in the North Andover,
4 Massachusetts branch of his current employer but was limited in his
5 job duties and responsibilities.

6 3. The Commissioner issued the final adjudicative decision against
7 Respondent Empire Equity Group and Respondent Corporate Office Management
8 Providers, Inc. on April 28, 2010. The Commissioner ordered Respondent
9 Empire Equity Group and Respondent Corporate Office Management Providers,
10 Inc. to be jointly and severally liable for an administrative penalty of
11 \$30,000.00.

12 4. Respondent Max has been making timely monthly payments to satisfy the
13 \$20,000.00 administrative penalty he currently owes the Department.
14 Respondent Max owes a balance of \$4,563.39.

15 5. Since the May 18, 2009 Consent Order, the Department has not had any
16 additional matters arise directly or indirectly involving Respondent Max.

17 **Jurisdiction**

18 6. The Commissioner may issue, amend, or rescind such orders as are
19 reasonably necessary to carry out the provisions of RSA Chapter 397-A.
20 RSA 397-A:20, IV.

21 **Order**

22 7. **Whereas the Commissioner Finds** this Consent Order necessary, appropriate
23 and in the public's best interest and consistent with the purposes of New
24 Hampshire banking laws and Orders as follows:

25 a. Respondent Max's remaining monies owed of \$4,563.39 is hereby

1 suspended for good cause shown;

2 b. The remaining monies owed of \$4,563.39 shall be permanently waived
3 after Respondent Max has fully completed all other provisions of the
4 May 18, 2009 Consent Order and the Department has not taken any new
5 enforcement action against Respondent Max for any new violations; and

6 c. All other provisions of the May 18, 2009 Respondent Max Consent Order
7 remain in full force and effect until and unless modified or vacated
8 by the Commissioner for good cause shown.

9 8. This Order may be revoked and the Department may pursue any and all
10 remedies available under law, if the Department later finds that the
11 Respondent Max knowingly or willfully withheld information used and
12 relied upon in this Order.

13 9. This Order shall become effective upon the date the Commissioner signs
14 this Consent Order.

15
16 **SO ORDERED,**

17 Entered this 29th day of September, 2010.

18
19 /s/ Robert A. Fleury for
20 Peter C. Hildreth,
21 Bank Commissioner
22 **IT IS SO ORDERED.**