

1 State of New Hampshire Banking Department

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3 In re the Matter of: )Case No.: 08-179  
 )  
 4 State of New Hampshire Banking )  
 )Cease and Desist Order  
 5 Department, )  
 )  
 6 Petitioner, )Motion to Dismiss Respondent Credit  
 )Counselors of America Only  
 7 and )  
 )  
 8 Frederick Law Group, LLC, Brennan,) )  
 )  
 9 Smith & Associates, Credit Counselors) )  
 )  
 10 of America and Richard A. Brennan, )  
 )  
 11 Respondents )  
 )

12 MOTION TO DISMISS RESPONDENT CREDIT COUNSELORS OF AMERICA

13 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above  
14 captioned case, and moves to dismiss the penalties in the Cease and Desist  
15 Order ("Order") in this matter and states as follows:

- 16 1. Respondent Credit Counselors of America confirmed it was properly  
 17 served with the Order in this matter.
- 18 2. Since the issuance of the Order, Respondent Credit Counselors of  
 19 America, through its legal counsel, has provided the Department with  
 20 additional information which exculpates Respondent Credit Counselors  
 21 of America from liability for Docket #08-179.
- 22 3. Based on the above factors and as a sign of good faith and  
 23 administrative efficiency, the Petitioner now wishes to dismiss the  
 24 penalties against Respondent Credit Counselors of America contained  
 25 within the Staff Petition that initiated the Order.

1 WHEREFORE, Petitioner respectfully prays

2 A. The Commissioner dismiss the penalties against Respondent Credit  
3 Counselors of America contained within the Cease and Desist Order in  
4 this case; and

5 B. Grant such further relief as is just and in the public interest.  
6

7 Respectfully submitted by:

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9 \_\_\_\_\_  
10 */s/*  
Maryam Torben Desfosses  
Hearings Examiner

*September 2, 2011*  
Date

11  
12  
13 **ORDER**

14 Finding it in the public interest, the requested relief is hereby **GRANTED**.  
15 The penalties against Respondent Credit Counselors of American contained  
16 within the Cease and Desist in 08-179 are hereby **DISMISSED** this 2nd day of  
September, 2011.  
17

18 \_\_\_\_\_  
19 */s/*  
RONALD A. WILBUR  
BANK COMMISSIONER