

1 State of New Hampshire Banking Department

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3 In re the Matter of:)Case No.: 08-431
)
 4 State of New Hampshire Banking)
)Order to Show Cause and Cease and
 5 Department,)Desist
)
 6 Petitioner,)
)
 7 and)Motion to Dismiss Respondents
)InstantLoanToday.com and Mark J. Kane
)
 8 InstantLoanToday.com, and Mark J. Kane,)
)
 9 Respondents)
)

10 MOTION TO DISMISS BOTH RESPONDENTS

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

- 14 1. Both Respondents, through counsel, were properly served with the Order
 15 in this matter.
- 16 2. Since the issuance of the Order, both Respondents, through their legal
 17 counsel, have provided the Department with additional information
 18 which exculpates both Respondents from liability for Docket #08-431.
- 19 3. Based on the above factors and as a sign of good faith and
 20 administrative efficiency, the Petitioner now wishes to dismiss the
 21 penalties against Respondents InstantLoanToday.com and Mark J. Kane
 22 contained within the Order.

23 WHEREFORE, Petitioner respectfully prays

- 24 A. The Commissioner dismiss the penalties against Respondent
 25 InstantLoanToday.com and Respondent Mark J. Kane contained within the

