

1 State of New Hampshire Banking Department

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3 In re the Matter of: ) Case No. 10-004  
) )  
4 State of New Hampshire Banking ) Order Re: Motion for Rehearing  
) )  
5 Department, ) )  
) )  
6 Petitioner, ) )  
) )  
7 and ) )  
) )  
8 Dargon Law Firm P.L.L.C. (a/k/a ) )  
) )  
9 www.dargonlaw.com), Daniel Paul ) )  
) )  
10 Dargon, Esq., Stephen R. Kasmar, ) )  
) )  
11 Esquire, Joseph D. Becher, Esquire, ) )  
) )  
12 Eric J. Simenson, Esquire, Joseph R. ) )  
) )  
13 Russell, Esquire, Patricia Ellis, ) )  
) )  
14 Esquire, Jeffery B. Merrill, Esquire, ) )  
) )  
15 Peter Larkowich, Michelle Preve, and ) )  
) )  
16 Lacie Kingsbury, ) )  
) )  
17 Respondents ) )  
) )

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19 This matter came to the New Hampshire Banking Department  
20 ("Department") pursuant to an administrative action by the Department  
21 regarding the above-named respondents. An adjudicative hearing pertaining  
22 solely to Respondent Dargon Law Firm and Respondent Dargon (Collectively  
23 "Dargon") was held before Presiding Officer Stephen J. Judge ("Presiding  
24 Officer") on December 2, 3 and 6, 2010.

25 The Presiding Officer issued a Decision and Order in this matter on

1 February 14, 2011 ("Order"). The Order included the Presiding  
2 Officer's rulings on the Parties' findings of facts and conclusions of law.  
3 A determination was made in the Order that Dargon violated certain  
4 identified state and federal statutes. What remains to be determined is the  
5 scope of the fines and/or restitution, if any, that should be awarded.

6 A status conference was held on March 10, 2011 in order to allow the  
7 Parties an opportunity to address the outstanding procedural issues prior to  
8 setting a hearing date. At this time, the Parties continue to work on the  
9 outstanding procedural issues. A hearing will be scheduled once the Parties  
10 have notified the Presiding Officer that they have concluded their efforts  
11 to streamline the proceeding.

12 On March 16, 2011, Dargon timely filed a Motion for Rehearing pursuant  
13 to RSA 541:3 and RSA 541:4. As a procedural matter, in order to provide the  
14 most effective record on appeals, it was necessary for Dargon to file a  
15 Motion for Rehearing. The Parties need time to prepare for and hold a  
16 hearing on the remedy that could be awarded.

17 Pursuant to RSA 541:5, the Order shall be suspended in order to allow  
18 the Parties time to address the issues pertaining to the scope of fines  
19 and/or restitution as described in the Order. Presiding Officer notes that  
20 the suspension of the Order is a procedural action and it is not in any way  
21 contrary to the conclusions reached in the Order.

22 IT IS HEREBY ORDERED that the Decision and Order issued February 14,  
23 2011, is suspended pending a future hearing in this matter.

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25  
Date: 3/24/11

/s/  
STEPHEN J. JUDGE, ESQ.  
PRESIDING OFFICER