

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 10-202
)
 3 State of New Hampshire Banking Department,)
) Order to Show Cause and
 4 Petitioner,) Cease and Desist
)
 5 and)
) Motion to Dismiss Only as to
 6 Loan Modification Network Inc. (a/k/a) Respondent Frank Anthony
) Luceri III, Esq. (a/k/a
 7 modifymortgagehelp.com), Frank Anthony Luceri) Frank A. Luceri P.A.) ONLY
)
 8 III, Esq. (a/k/a Frank A. Luceri P.A.), and)
)
 9 Anthony Fareri,)
)
 10 Respondents)
)

11 MOTION TO DISMISS ONLY AS TO

12 RESPONDENT FRANK ANTHONY LUCERI III, ESQ. (A/K/A FRANK A. LUCERI P.A.)

13 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above
14 captioned case, and moves to dismiss the penalties as to Respondent Frank
15 Anthony Luceri III, Esq. (a/k/a Frank A. Luceri P.A.) only in the Order to
16 Show Cause ("Order") in this matter and states as follows:

- 17 1. Respondent Frank Anthony Luceri III, Esq. (a/k/a Frank A. Luceri P.A.)
 18 was properly served with the Order in this matter on or about February
 19 25, 2011.
- 20 2. Since the issuance of the Order, Respondent Frank Anthony Luceri III,
 21 Esq. (a/k/a Frank A. Luceri P.A.) has provided the Department with
 22 additional information rendering his liability in this matter moot.
- 23 3. Based on the above factors and as a sign of good faith and
 24 administrative efficiency, the Petitioner now wishes to dismiss the
 25 penalties as to Respondent Frank Anthony Luceri III, Esq. (a/k/a Frank

1 A. Luceri P.A.) only within the Staff Petition that initiated the
2 Order.

3 WHEREFORE, Petitioner respectfully prays

4 A. The Commissioner dismiss the penalties in the Order to Show Cause in
5 this case as to Respondent Frank Anthony Luceri III, Esq. (a/k/a Frank
6 A. Luceri P.A.)only; and

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

8 Respectfully submitted by:

9
10 _____ /s/
11 Maryam Torben Desfosses
Hearings Examiner

12 _____ 12/01/11
Date

13 **ORDER**

14 Finding it in the public interest, the requested relief is hereby **GRANTED**.
15 The penalties as to Respondent Frank Anthony Luceri III, Esq. (a/k/a Frank A.
16 Luceri P.A.) only in the Order to Show Cause in 10-202 are hereby **DISMISSED**
17 this 1st day of December, 2011.

18 _____ /s/
19 RONALD A. WILBUR
BANK COMMISSIONER