

State of New Hampshire Banking Department

In re the Matter of:) Case No.: 10-481
))
State of New Hampshire)
))
Banking Department,)
))
Department,) Motion to Vacate Ab Initio
) [REDACTED] from the
) September 15, 2011 Order to Show
and) Cause and Cease and Desist
))
ICU Financial Services,)
))
Inc., et al.,)
))
Respondents)

MOTION TO VACATE AB INITIO

Now comes Maryam Torben Desfosses, on behalf of the New Hampshire Banking Department ("Department") in the above captioned matter, and moves to vacate *ab initio* the September 15, 2011 Order to Show Cause and Cease and Desist ("Order") in this matter as to Respondent [REDACTED] ("Respondent [REDACTED]") and states as follows:

1. Respondent [REDACTED] was served with the Order in this matter on September 22, 2011 in Rancho Santa Margarita, California.
2. Since the entry of the Order, Respondent [REDACTED] and Respondent Christopher L. Stafford filed requests to have Respondent [REDACTED] dismissed from the Order on the premise that Respondent [REDACTED] had no involvement with and was never employed by ICU

Financial Services, Inc. as General Counsel.

3. Respondent [REDACTED] and Respondent Christopher L. Stafford provided compelling information to the Department, which demonstrates that Respondent [REDACTED] was not involved with ICU Financial Services, Inc. and was only in discussions to become a possible employee.

4. In response to Respondent [REDACTED] request to dismiss her from the Order, the Department moves to vacate *ab initio* Respondent [REDACTED] from the Order.

5. Based on the above factors, the Department now wishes to withdraw the Order and allegations therein as to Respondent [REDACTED].

WHEREFORE, Department respectfully requests

- A. The Commissioner Vacate *Ab Initio* Respondent [REDACTED] [REDACTED] from the Order in this matter;
- B. Grant such further relief as is just and in the public interest.

Respectfully submitted by:

_____/s/_____
Maryam Torben Desfosses
Hearings Examiner

10/26/12
Date

ORDER

Finding it in the public interest, the requested relief is hereby **GRANTED**. The Order to Show Cause and Cease and Desist in 10-481 as to Respondent [REDACTED] is hereby **VACATED AB INITIO**.

SO ORDERED,

_____/s/
RONALD A. WILBUR
BANK COMMISSIONER

10/26/12
Date