

State of New Hampshire
Banking Department

In re:)	Case Nos.: 12-233 & 12-253
)	
State of New Hampshire Banking)	
)	
Department,)	Motion to Withdraw
)	Entry of Default Judgment
 Petitioner,)	
)	
 and)	
)	
BayBurg Financial, Inc. and Adam M.)	
)	
Bayer, President of BayBurg Financial, Inc.,))	
)	
 Respondents.)	
)	

Now comes the petitioner, the State of New Hampshire Banking Department, respectfully requesting that the Commissioner of the Banking Department withdraw the Entry of Default Judgment in the above-captioned matter. In support thereof, the petitioner states as follows:

1. On August 30, 2012, the petitioner issued an Order to Show Cause against the respondents, BayBurg Financial, Inc. and Adam M. Bayer, President of BayBurg Financial, Inc., via certified mail, return receipt requested.
2. The Order to Show Cause notified the respondents of their right to request a hearing within 30 calendar days of receipt of the Order.
3. The respondents received the Order to Show Cause on September 4, 2012.
4. The respondents failed to request a hearing within 30 calendar days of September 4, 2012.

5. Subsequently, the petitioner entered Default Judgment in the matter on October 17, 2012.
6. Upon receipt of the Entry of Default Judgment, the respondents entered into negotiations with the petitioner.
7. The petitioner and the respondents have agreed to resolve this matter with a Consent Order entered into on December 20, 2012.
8. The petitioner submits this Motion with the consent of the respondents.

Wherefore, the petitioner respectfully requests that the Commissioner of the Banking Department:

- A. Withdraw the Entry of Default Judgment in the above-captioned matter; and
- B. Grant any other just and proper relief.

Respectfully submitted,

/s/ 01/03/13

Emelia A.S. Galdieri
N.H. Bar #19840
Hearings Examiner
State of New Hampshire
Banking Department

CERTIFICATE OF SERVICE

I, Emelia A.S. Galdieri, hereby certify that on 4th Jan. 2013, a copy of this Motion to Withdraw Entry of Default Judgment was sent to the following parties via U.S. Certified Mail First Class:

Adam M. Bayer, President
BayBurg Financial, Inc.
2972 NW 60th Street
Ft. Lauderdale, FL 33309

/s/

Emelia A.S. Galdieri
N.H. Bar #19840
Hearings Examiner
State of New Hampshire Banking Department

State of New Hampshire
Banking Department

In re:)	Case Nos.: 12-233 & 12-253
)	
State of New Hampshire Banking)	
Department,)	RAW
)	Proposed Order to Withdraw Entry
Petitioner,)	of Default Judgment
)	
and)	
)	
BayBurg Financial, Inc. and Adam M.)	
)	
Bayer, President of BayBurg Financial, Inc.,)	
)	
Respondents.)	
)	

The petitioner's Motion to Withdraw Entry of Default Judgment in the above-captioned matter is GRANTED for the reasons stated within the petitioner's Motion.

SO ORDERED.

01/03/2013
Date

/s/
Ronald A. Wilbur
State of New Hampshire
Bank Commissioner

CERTIFICATE OF SERVICE

I, Emelia A.S. Galdieri, hereby certify that on 4 Jan. 2013, a copy of this Order to Withdraw Entry of Default Judgment was sent to the following parties via U.S. Certified Mail First Class:

Adam M. Bayer, President
BayBurg Financial, Inc.
2972 NW 60th Street
Ft. Lauderdale, FL 33309

/s/

Emelia A.S. Galdieri
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