

1 State of New Hampshire Banking Department

2 In re the Matter of: ) Case No.: 06-090  
 )  
 3 State of New Hampshire Banking )  
 ) Order to Show Cause  
 4 Department, )  
 )  
 5 Petitioner, ) Motion of Hearing Counsel  
 )  
 6 and )  
 )  
 7 Apex Financial Group Inc., and Roy ) November 20, 2007  
 )  
 8 Williams )  
 )  
 9 Respondents

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10  
11 Proposed Findings of Fact and Rulings of Law

12 Now comes James Shepard, Hearings Counsel in the above referenced matter and  
13 moves that the presiding officer:

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- 15 1. Find as fact that Respondents were properly served notice of their  
16 opportunity for hearing on this matter and the consequences of  
17 default.
  - 18 2. Find as fact that Apex Financial Group Inc. is licensed by the  
19 Department and subject to its jurisdiction.
  - 20 3. Find as fact that Roy Williams is the president and owner of  
21 Respondent Apex.
  - 22 4. Find as fact all remaining allegations contained in the staff petition  
23 submitted on July 18, 2007 in support of the Order to Show Cause in  
24 this matter.
  - 25 5. Find as fact that Respondents committed a total of 76 violations as  
alleged in the staff petition.

1           6. Make a ruling of law that Respondents violated RSA 397-A:17 I(c) on  
2           48 occasions by accepting or processing 48 loan applications  
3           transmitted or brokered by an unlicensed mortgage broker.

4           7. Make a ruling of law that Respondents violated RSA 397-A:3 on 13  
5           occasions by operating 13 unlicensed branches.

6           8. Make a ruling of law that Respondents violated RSA 397-A:10 on 14  
7           occasions by failing to notify the Department of 14 significant  
8           events.

9           9. Make a ruling of law that Respondents violated RSA 397-A:11 by  
10          failing to return records to the Department within 21 days of  
11          request.

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13          Movant therefore respectfully suggests the following attached order as  
14          appropriate, lawful, and in the public interest

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16          Respectfully submitted,

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18          \_\_\_\_\_  
19          /s/  
20          James Shepard  
21          Hearings Counsel  
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