

1 State of New Hampshire Banking Department

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3 In re the Matter of:) Case No.: 07-078
)
 4 State of New Hampshire Banking)
)
 5 Department,)
) *Applies to Respondent
 6 Petitioner,) Amanda Smith only
)
 7 and)
)
 8 Dana Capital Group, Inc., Dana Smith,)
)
 9 and Amanda Smith,)
)
 10 Respondents)

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12 ASSENTED TO MOTION TO STRIKE DEFAULT JUDGMENT AND STRIKE RESPONDENT AMANDA

13 SMITH

14 Now comes James Shepard, Hearings Officer in the above captioned case, and
15 with the consent of Respondent Amanda Smith and Respondent Dana Smith hereby
16 move to strike Respondent Amanda Smith from these proceedings and for cause
17 state as follows:

- 18 1. Respondent Amanda Smith was named in the above cause pursuant to RSA
19 397-A:21.
- 20 2. New evidence has surfaced which tends to relieve Amanda Smith of
21 liability for the acts specified in the Staff Petition initiating this
22 action.
- 23 3. Movant avers that the interests of justice and the public are fully
24 protected by the default judgment against Respondent Dana Capital
25 Group, Inc. and the Consent Order regarding Dana Smith.

WHEREFORE Movant respectfully prays that the Commissioner:

- 21 A. Strike the existing default judgment regarding Amanda Smith; and
- 22 B. Strike Amanda Smith as Respondent from this action.

23 Respectfully submitted,

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 /S/
 25 James Shepard
 Staff Attorney, Hearings Counsel

1 **Recommended** this 4th day of February, 2008

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3 _____
/s/

Maryam Torben-Desfosses

4 Presiding Officer

5 **SO ORDERED,**

6 Entered this 4th day of February, 2008.

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/s/

Peter C. Hildreth,

9 Bank Commissioner

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