

1 State of New Hampshire Banking Department

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3 In re the Matter of:) Case No.: 07-193
)
 4 State of New Hampshire Banking) Cease and Desist Order
)
 5 Department,)
)
 6 and) Motion to Vacate
)
 7 Dividend Funding Corp d/b/a Financial))
)
 8 Dynamics and James Donovan,)
)
 9 Respondents)
)
 10)
)
 11)

12 MOTION TO VACATE

13 Now comes James Shepard, Petitioner in the above captioned cause and moves to
14 vacate the Cease and Desist Order in this matter and for cause states as
15 follows:

- 16 1. The above Respondents were properly served with a Cease and Desist
 17 Order in this matter on or about August 3, 2007.
- 18 2. Since the advent of the order the Department has developed additional
 19 information that renders the Respondents liability in this matter de
 20 minimus.
- 21 3. Defending this matter at a hearing would subject the Respondents and
 the Department to unwarranted costs.
- 22 4. Based on the above factors, the Petitioner now wishes to withdraw the
 23 Staff Petition that initiated the Cease and Desist Order.

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25 WHEREFORE, Petitioner respectfully prays

- A. The Commissioner Vacate the Cease and Desist Order in this case; and

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

2
3 Respectfully submitted by:

4
5 _____
6 James Shepard
7 Staff Attorney

11/20/07
Date

8 **ORDER**

9
10 Finding it in the public interest the requested relief is hereby **GRANTED**. The
11 Cease and Desist Order in 07-193 is hereby **VACATED** this 20th day of November,
12 2007.

13 _____
14 Peter C. Hildreth
15 Bank Commissioner