

1 State of New Hampshire Banking Department

2 In re the Matter of: ) Case No.: 08-115  
) )  
3 State of New Hampshire Banking )  
) )  
4 Department, ) Order to Show Cause  
) )  
5 Petitioner, )  
) )  
6 and ) Motion to Dismiss  
) )  
7 Old American Mortgage Company, Inc., )  
) )  
8 and Eric J. Archambault, )  
) )  
9 Respondents )  
) )

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11 MOTION TO DISMISS

12 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above  
13 captioned case, and moves to dismiss the penalties in the Order to Show Cause  
14 ("Order") in this matter and states as follows:

- 15 1. The Department attempted service of the Order on the above named  
16 Respondents in this matter via U.S. Certified Mail Return Receipt  
17 requested on or about January 5, 2009. The Order was returned as  
18 "return to sender, attempted - not known, unable to forward."  
19 However, the Department was notified by Respondent Eric J.  
20 Archambault, who paid the examination fee on behalf of the  
21 Respondents.
- 22 2. Since the advent of the Order, the outstanding invoice for examination  
23 has been paid, which served as the underlying allegations of the  
24 Order.
- 25 3. Based on the above factors and as a sign of good faith and

