

1 State of New Hampshire Banking Department

2	In re the Matter of:)Case No.: 08-121
)
3	State of New Hampshire Banking)
)
4	Department,)Order to Show Cause
)
5	Petitioner,)
)
6	and)Motion to Dismiss Remaining Penalties
)and Strike Default Judgment
7	Maine Capital Mortgage LLC, and Shawn)
)
8	P. Lyden,)
)
9	Respondents)
)

10
11 MOTION TO DISMISS REMAINING PENALTIES AND STRIKE DEFAULT JUDGMENT

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

- 16 1. The Department attempted service of the Order on the above named
- 17 Respondents in this matter via U.S. Certified Mail Return Receipt
- 18 requested on or about July 9, 2009. The Order was returned as "moved
- 19 left no address, unable to forward."
- 20 2. The Commissioner accepted service of the Order on August 25, 2009.
- 21 3. A Default Judgment was issued on September 25, 2009.
- 22 4. Since the advent of the Order and Default, the above named Respondents
- 23 have paid the outstanding invoice for examination, which served as the
- 24 underlying allegation of the Order.
- 25 5. Since the advent of the Order and Default, the above named Respondents

