

1 State of New Hampshire Banking Department

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|---|-------------------------------------|----------------------------------------|
| 2 | In re the Matter of: |)Case No.: 08-258 |
| | |) |
| 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 | Equity Advantage, LLC, and Terrence |) |
| | |) |
| 8 | Turanick, |) |
| | |) |
| 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 June 16, 2009. The Order was returned as "not
- 19 deliverable as addressed - unable to forward."
- 20 2. The Commissioner accepted service of the Order on June 23, 2009.
- 21 3. A Default Judgment was issued on September 29, 2009.
- 22 4. Since the advent of the Order and Default, the above named Respondents
- 23 have paid the outstanding invoice for examination, the administrative
- 24 fine for the failure to file the financial statement and the
- 25 administrative fine for the late filing of examination materials,

