

1 State of New Hampshire Banking Department

2 In re the Matter of:)
)
 3 New Hampshire Banking Department,) Case No.: No. 08-330
)
 4 Petitioner,)
) Order for Default Judgment
 5 and)
)
 6 EFI Capital Corp (d/b/a Elegant)
)
 7 Funding), and Kenneth Mohan,)
)
 8 Respondents)
)

9 Default Judgment

10 The Commissioner of the New Hampshire Banking Department
 11 ("Department") issued an Order to Show Cause ("Order") against Respondent
 12 EFI Capital Corp (d/b/a Elegant Funding) ("Respondent Elegant Funding") and
 13 Respondent Kenneth Mohan ("Respondent Mohan") (collectively hereinafter
 14 "Respondents") on June 10, 2009 via U.S. Certified Mail Return Receipt
 15 requested. The Respondents received and signed for the Order on June 19,
 16 2009. The Respondents had thirty (30) days from June 19, 2009 to request a
 17 hearing or reach a settlement with the Department. On June 23, 2009, the
 18 Respondents requested a pay plan, wherein a \$350.00 payment would be
 19 initially and immediately paid, and the balance would be paid in two (2)
 20 monthly installments of \$200.00 per month. The Respondents have not made
 21 any payments to date nor signed the pay plan, which they received via U.S.
 22 Certified Mail Return Receipt requested on June 29, 2009. All emails have
 23 gone unanswered, as well. The Respondents failed to request a hearing or
 24 reach a written and formal settlement with the Department on or before July
 25 19, 2009 (which is thirty days from June 19, 2009) as required to avoid

1 Default.

2 It is hereby ORDERED, that:

- 3 1. By operation of law, a default judgment was entered against
4 Respondents on July 20, 2009;
- 5 2. The allegations contained in the June 10, 2009 Order to Show Cause are
6 hereby deemed true;
- 7 3. Respondent Elegant Funding shall immediately pay to the Department an
8 administrative fine for two (2) violations of RSA Chapter 397-A in the
9 amount of \$5,000.00;
- 10 4. Respondent Mohan shall immediately pay to the Department an
11 administrative fine for three (3) violations of RSA Chapter 397-A in
12 the amount of \$7,500.00;
- 13 5. Respondent Elegant Funding shall immediately pay to the Department the
14 outstanding exam invoice totaling \$500.00;
- 15 6. Respondent Elegant Funding shall immediately pay to the Department
16 \$250.00 for the late filing of the annual report;
- 17 7. Each of the above named Respondents shall be jointly and severally
18 liable; and
- 19 8. Respondent Elegant Funding's license is hereby revoked.

20
21 SIGNED,

22
23 Dated: 02/12/10

24 /s/
PETER C. HILDRETH
BANK COMMISSIONER