

1 State of New Hampshire Banking Department

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3 In re the Matter of: )Case No.: 08-384  
 )  
 4 State of New Hampshire Banking )  
 )Motion to Vacate  
 5 Department, )  
 )  
 6 Petitioner, )  
 )Motion To Vacate Only as to  
 7 and )Respondent Gilbert W. Cox  
 )  
 8 Elliot A. Willard (d/b/a Family )  
 )  
 9 Mortgage Company), Elliot A. Willard, )  
 )  
 10 and Gilbert W. Cox, )  
 )  
 11 Respondents )  
 )  
 12 )  
 )  
 13 )

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14 MOTION TO VACATE

15 Now comes Maryam Torben Desfosses, on behalf of Petitioner in the above  
16 captioned case, and moves to vacate the Order to Show Cause with Immediate  
17 Suspension and Cease and Desist Order ("Order") in this matter and for cause  
18 states as follows:

- 19 1. Respondent Gilbert W. Cox ("Respondent Cox") was properly served on  
 20 or about November 15, 2008.
- 21 2. Since the advent of the Order, the New Hampshire Banking Department  
 22 ("Department") has received additional information that renders  
 23 Respondent Cox's liability in this matter moot since he properly  
 24 paid the administrative fine owed to the Department pursuant to the  
 25 November 29, 2007 Consent Order for Docket 07-283.



