

1 State of New Hampshire Banking Department

2 In re the Matter of:) Case No.: 09-122
)
 3 State of New Hampshire Banking)
)
 4 Department,) Order to Show Cause
)
 5 Petitioner,)
)
 6 and) Motion to Dismiss
)
 7 The Mortgage Guys L.L.C. (d/b/a Jay The)
)
 8 Mortgage Man), Donna Portinari, and)
)
 9 Joseph Portinari,)
)
 10 Respondents)
)

11
12 MOTION TO DISMISS

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

- 16 1. The above Respondents were properly served with the Order in this
17 matter on or about March 30, 2010.
- 18 2. Since the advent of the Order, the above named Respondents have paid
19 the outstanding invoice for examination and submitted the 2008 Annual
20 Report, which served as the underlying allegations of the Order.
- 21 3. Based on the above factors and as a sign of good faith and
22 administrative efficiency, the Petitioner has waived the outstanding
23 fine of \$2,500.00 for the late filing of the 2008 Annual Report.
- 24 4. Based on the above factors and as a sign of good faith and
25 administrative efficiency, the Petitioner now wishes to dismiss the

