

1 State of New Hampshire Banking Department

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3 In re the Matter of: ) Case No. 09-133  
4 Rachel E. Nicholson, )  
5 v. ) Order Re: Motion for Immediate  
6 Countrywide Home Loans Inc, et al., ) Decision  
7 )

8 This matter came to the New Hampshire Banking Department  
9 ("Department") pursuant to RSA 383:10-d which vests the Banking Commissioner  
10 ("Commissioner") with authority to "investigate conduct that is or may be an  
11 unfair or deceptive act or practice under RSA 358-A and exempt under RSA  
12 358-A:3,I or that may violate any of the provisions of Titles XXXV and XXXVI  
13 and administrative rules adopted thereunder." It further grants the  
14 Commissioner the authority to "order restitution for a person...adversely  
15 affected by such conduct."

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17 After a full hearing, the Commissioner issued a Decision and Order in  
18 this matter on June 4, 2010 which required *inter alia* restitution be awarded  
19 to the Petitioner (the "Original Order"). On July 1, 2010, the Respondent  
20 timely filed a Motion for Rehearing pursuant to RSA 541:4 and Administrative  
21 Rule Jus 813.04. On July 2, 2010, the Petitioner timely filed a Motion for  
22 Rehearing pursuant to RSA 541:3 and RSA 541:4.

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24 By Order dated July 15, 2010 and pursuant to RSA 541:5, the Original  
25 Order was suspended pending further consideration of the Parties'  
outstanding motions.

