

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RI 02920

_____ :
In the Matter of: :

Falcon Ltd., Rocco P. DeSimone, and :
Gail M. DeSimone, :

DBR No.: 09-S-0117

Respondents. :
_____ :

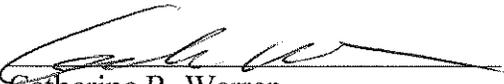
FINAL ORDER OF DISMISSAL

This matter arose pursuant to a Notice to Cease and Desist; Notice of Intent to Impose a Civil Penalty and of Opportunity for Hearing under Sections 602 and 710 of the R.I. Gen. Laws § 7-11-101 *et seq.* that was issued on April 17, 2009 by the Department of Business Regulation (“Department”) to the above-captioned Respondents. A Notice of Pre-hearing conference and Order Appointing Hearing Officer (the undersigned) was issued on May 27, 2009. A pre-hearing conference was held on June 23, 2009 at which time the issues were clarified and a discovery schedule set. Periodic status reports by the parties were filed with the undersigned. A status conference was held on April 11, 2012 with the parties at which time the Department requested that this matter be dismissed. The Department has jurisdiction over this matter pursuant to R.I. Gen. Laws § 7-11-101 *et seq.*

Based on the forgoing and the undersigned’s due consideration thereof, it is hereby ordered that the above-entitled matter is dismissed.

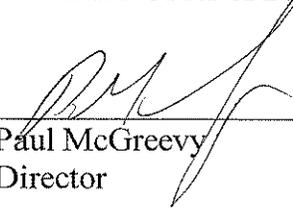
As recommended by:

Date: 4/20/12


Catherine R. Warren
Hearing Officer

I have read the Hearing Officer's recommendation and I hereby ADOPT REJECT the recommendation of the Hearing Officer in the above-entitled Order of Dismissal.

Date: 23 April 2012



Paul McGreevy
Director

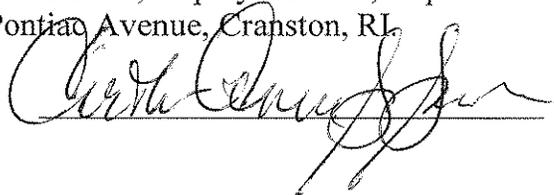
Entered as an Administrative Order No.: 12 - 026 this 25th day of April, 2012.

NOTICE OF APPELLATE RIGHTS

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify on this 25th day of April, 2012 that a copy of the within Order and Notice of Appellate Rights was sent by first class mail, postage prepaid to Jeffrey Brenner, Esquire, Nixon Peabody, One Citizens Plaza, Providence, RI 02903 and the DeSimones, Falcon Ltd., 103 Hopkins Avenue, Johnston, RI 02919 and by electronic delivery to Ellen Balasco, Esquire and Maria D'Alessandro, Deputy Director, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, RI



Cynthia C. [unclear]