

1 PRESTON DUFAUCHARD  
California Corporations Commissioner  
2 ALAN S. WEINGER  
Acting Deputy Commissioner  
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6 Attorneys for Complainant

7  
8 BEFORE THE DEPARTMENT OF CORPORATIONS  
9 OF THE STATE OF CALIFORNIA

10 In the Matter of the Accusation of THE ) File No.: 415-0045  
CALIFORNIA CORPORATIONS )  
11 COMMISSIONER, )

12 Complainant, )

13 v. )

14 FIDELITY CAPITAL FUNDING, INC., )

15 Respondent. )  
16 )  
17 )  
18 )  
19 )

**ORDER SETTING ASIDE NOTICE OF  
INTENTION TO ISSUE ORDER  
REVOKING RESIDENTIAL MORTGAGE  
LENDER AND RESIDENTIAL  
MORTGAGE LOAN SERVICER LICENSE**

20 The California Corporations Commissioner finds that:

21 I.

22 Respondent Fidelity Capital Funding, Inc. (“Respondent”) submitted its annual Report of  
23 Principal Amount of Loans and Aggregate Amount of Loans Serviced for the 12 month period ended  
24 December 31, 2007, pursuant to Financial Code sections 50307, 50401 and California Code of  
25 Regulations, title 10, section 1950.314.8. Respondent further paid the penalty of \$1,000.00, pursuant  
26 to California Financial Code section 50326.

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II.

THEREFORE, GOOD CAUSE APPEARING, the Notice of Intention to Issue Order  
Revoking Respondent's Residential Mortgage Lender and Residential Mortgage Loan Servicer  
License is hereby set aside effective this date.

October 23, 2008  
Los Angeles, CA

PRESTON DuFAUCHARD  
California Corporations Commissioner

By \_\_\_\_\_  
ALAN S. WEINGER  
Acting Deputy Commissioner