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UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of)	
)	
MILTON ALFREDO RODRIGUEZ)	OTS Order No. <u>SF-97-024</u>
former Assistant Branch Manager of)	
CALIFORNIA FEDERAL BANK)	Dated: <u>December 11, 1997</u>
A Federal Savings Bank,)	
Los Angeles, California.)	

STIPULATION AND CONSENT TO
ISSUANCE OF AN ORDER OF PROHIBITION

WHEREAS, the Office of Thrift Supervision, ("OTS"), based upon information derived from the exercise of its regulatory responsibilities, has informed MILTON ALFREDO RODRIGUEZ ("RODRIGUEZ"), former Assistant Vice President of California Federal Bank, a Federal Savings Savings Bank, Los Angeles, California ("CalFed" or the "Association"), that the OTS is of the opinion that the grounds exist to initiate an administrative prohibition proceeding against RODRIGUEZ pursuant to 12 U.S.C. § 1818(e)¹; and

WHEREAS, RODRIGUEZ desires to cooperate with the OTS to avoid the time and expense of such administrative litigation and, without admitting or denying that such grounds exist, or the Findings of Fact or opinions and conclusions of the OTS, except as to Jurisdiction, paragraph 1 below, which is admitted, hereby stipulates and agrees to the following terms:

1. Jurisdiction.

(a) CalFed is a "savings association" within the meaning of 12 U.S.C. § 1813(b) and 12 U.S.C. § 1462(4). Accordingly, it is an "insured depository institution: as that term is defined in 12 U.S.C. § 1813(c).

(b) RODRIGUEZ, who served as an Assistant Branch Manager of CalFed through August, 1992, was an "institution-affiliated party" as that term is defined in 12 U.S.C. § 1813(u), having served in such capacity within six years of the date hereof. See 12 U.S.C. § 1818(i)(3).

(c) Pursuant to 12 U.S.C. § 1813(q), the Director of the OTS is the "appropriate Federal banking agency" to maintain an enforcement proceeding against such a savings association and/or its institution-affiliated parties. The Director of the OTS has delegated to the Regional Directors of the OTS the authority to issue an order of prohibition where the respondent has consented to the issuance of the order. Therefore, RODRIGUEZ is subject to the authority of the OTS to initiate and maintain a prohibition proceeding against him pursuant to 12 U.S.C. § 1818(e).

2. OTS Findings of Fact.

(a) The OTS finds that RODRIGUEZ violated laws, rules, and regulation, engaged in unsafe and unsound practices, or breached his fiduciary duties when he:

(i) on more than one occasion, knowingly falsified and inflated customer account balances on Verifications of Deposit submitted to CalFed by third parties underwriting the customers' loan applications;

¹ All references in this Stipulation and Consent and the Order of Prohibition to the United States Code or U.S.C. are as amended.

(ii) directly and indirectly caused CalFed to violate repeatedly the Monetary Transaction Recordkeeping and Reporting requirements of subchapter II, chapter 53 of title 31 of the United States Code (31 U.S.C. § 5311, et seq.), and particularly, personally failed to report and failed to instruct his staff to report “structured” transactions or monetary transactions apparently structured to evade the reporting requirements.

(b) RODRIGUEZ’ misconduct resulted in direct financial benefit or other gain to him, unjustly enriched him, resulted in loss to an insured institution, or prejudiced the interests of the Association.

(c) RODRIGUEZ’ misconduct, as described above, demonstrated personal dishonesty and continuing or willful disregard for the safety and soundness of the Association.

3. Consent.

RODRIGUEZ consents to the issuance by the OTS of the accompanying Consent Order of Prohibition (“Order”). RODRIGUEZ further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

4. Finality.

The Order is issued by the OTS under the authority of 12 U.S.C. § 1818(e). Upon its issuance by the Regional Director or designee for the West Region, OTS, it shall be a final order, effective and fully enforceable by the OTS under the provisions of 12 U.S.C. § 1818(i).

5. Waivers.

RODRIGUEZ waives the following:

(a) the right to be served with a written notice of the OTS's charges against him (see 12 U.S.C. § 1818(e));

(b) the right to an administrative hearing of the OTS's charges against him (see 12 U.S.C. § 1818(e)); and

(c) the right to seek judicial review of the Order, including, without limitation, any such right provided by 12 U.S.C. § 1818(h), or otherwise to challenge the validity of the Order.

6. Other Government Actions Not Affected.

RODRIGUEZ acknowledges and agrees that the consent to the entry of the Order are for the purposes of resolving this prohibition action only, and does not release, discharge, compromise, settle, dismiss, resolve, or in any way affect any actions, charges against, or liability of RODRIGUEZ that arises pursuant to this action or otherwise, and that may be or have been brought by the Federal Deposit Insurance Corporation or any other government entity other than the OTS.

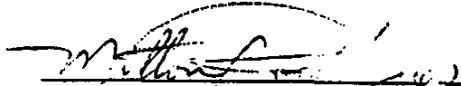
7. Acknowledgment of Criminal Sanctions.

RODRIGUEZ acknowledges that 12 U.S.C. § 1818(j) sets forth criminal penalties for knowing violations of this Order.

WHEREFORE, MILTON ALFREDO RODRIGUEZ executes this Stipulation
and Consent to Issuance of an Order of Prohibition, intending to be legally bound hereby.

Accepted by:

OFFICE OF THRIFT SUPERVISION


Milton Alfredo Rodriguez


Charles Deardroff
Regional Director
West Region

Date: DECEMBER 15, 1997 Date: December 11, 1997

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UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of)

MILTON ALFREDO RODRIGUEZ)
former Assistant Vice President of)
CALIFORNIA FEDERAL BANK)
A Federal Savings Bank,)
Los Angeles, California.)

OTS Order No. SF-97-024

Dated: December 11, 1997

CONSENT ORDER OF PROHIBITION

WHEREAS, MILTON ALFREDO RODRIGUEZ ("RODRIGUEZ") executed a
Stipulation and Consent to Issuance of an Order of Prohibition ("Stipulation") on

December 1, 1997; and

WHEREAS, RODRIGUEZ, by his execution of the Stipulation, has consented and
agreed to the issuance of this Order of Prohibition ("Order") by the Office of Thrift
Supervision, ("OTS"), pursuant to 12 U.S.C. § 1818(e); and

WHEREAS, the Director of the OTS has delegated to the Regional Director of the
OTS the authority to issue Orders of behalf of the OTS where there has been consent of
the Respondent.

NOW THEREFORE, IT IS ORDERED that:

1. Due to the operation of 12 U.S.C. § 1818(e)(6), RODRIGUEZ shall not:

- (a) participate in any manner in the conduct of the affairs of the institutions
and agencies set forth in paragraph 2 of this Order;

(b) solicit, procure, transfer, attempt to transfer, vote, or attempt to vote any proxy, consent, or authorization with respect to any voting rights with respect to the institutions and agencies set forth in paragraph 2 of this Order;

(c) violate any voting agreement previously approved by the "appropriate Federal banking agency" as defined in 12 U.S.C. § 1813(q); or

(d) vote for a director, or serve or act as an "institution-affiliated party, as defined in 12 U.S.C. § 1813(u).

2. Due to the operation of 12 U.S.C. § 1818(e)(7), RODRIGUEZ shall not continue or commence to hold any office in, or participate in any manner in the conduct of the affairs of:

(a) any insured depository institution, as defined in 12 U.S.C. § 1813(c);

(b) any institution treated as an insured bank under 12 U.S.C. §§ 1818(b)(3) or (b)(4);

(c) any institution treated as a savings association under 12 U.S.C. § 1818(b)(9), including:

(i) any savings and loan holding company,

(ii) any subsidiary of a savings and loan holding company,

(iii) any service corporation of a savings association, or,

(iv) any subsidiary of a service corporation, whether wholly or partly owned;

(d) any insured credit union under the Federal Credit Union Act (12 U.S.C. § 1751, et seq.);

(e) any institution chartered under the Farm Credit Act of 1971 (12 U. S. C. § 2001, et seq.;

(f) any appropriate Federal depository institution regulatory agency; or

(g) the Federal Housing Finance Board and any Federal Home Loan Bank.

3. Pursuant to 12 U.S.C. § 1818(e)(7)(B), the prohibitions of paragraphs 1 and 2 of this Order shall cease to apply with respect to a particular institution if RODRIGUEZ obtains the prior written consent of both the OTS and the institution's "appropriate Federal financial institutions regulatory agency," as defined in 12 U.S.C. § 1818(e)(7)(D).
4. The Stipulation is made a part hereof and is incorporated herein by this reference.
5. Notice is hereby provided that a violation of this Order could subject RODRIGUEZ to the penalties specified in 12 U.S.C. § 1818(j).
6. RODRIGUEZ shall promptly respond to any request from the OTS for documents that the OTS reasonably requests to demonstrate compliance with this Order.
7. The OTS does not intend to, and nothing in the Order shall be interpreted to limit, in any manner, the full scope of the prohibition prescribed by 12 U.S.C. § 1818(e).

8. This Order shall become effective on the date it is issued, as shown in the caption above. This Order shall remain in effect until it is terminated, modified, or suspended, which may occur only by formal action of the OTS, acting by and through its Director, Regional Director, or other authorized representative.

OFFICE OF THRIFT SUPERVISION



Charles Deardorff,
Regional Director
West Region

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