

UNITED STATES OF AMERICA
DEPARTMENT OF THE TREASURY
COMPTROLLER OF THE CURRENCY

In the Matter of:)	
Pamellia G. Wilson)	AA-EC-11-73
Senior Vice President)	
Colombo Bank)	
Rockville, MD)	

CONSENT ORDER

WHEREAS, the Office of Thrift Supervision issued a Notice of Charges on March 15, 2011 (“Notice”) to Pamellia G. Wilson (“Respondent”), Senior Vice President of Colombo Bank, Rockville, Maryland (“Association”); and

WHEREAS, in the interest of cooperation and to avoid the costs associated with future administrative and judicial proceedings with respect to the above matter, Respondent, without admitting or denying any wrongdoing, desires to enter into this Consent Order (“Order”) issued pursuant to 12 U.S.C. § 1818(b) and (i);

NOW, THEREFORE, in consideration of the above premises, it is stipulated by and between the Comptroller of the Currency of the United States of America (“Comptroller”),¹ through his duly authorized representative, and Respondent that:

¹ Pursuant to Title III of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. 111-203, 124 Stat. 1376 (2010), all functions of the Office of Thrift Supervision (“OTS”) related to Federal savings associations were transferred to the Office of the Comptroller of the Currency (“OCC”) on July 21, 2011. See Dodd-Frank Act, § 312(b), 12 U.S.C. § 5412. Pursuant to § 316(a)(2)(B), of the Dodd-Frank Act, 12 U.S.C. § 5414(a)(2)(B), Title III does not abate any action or proceeding commenced by the OTS or the OTS before July 21, 2011, and the OCC shall be substituted for the OTS as a party to the action or proceeding on and after the transfer date of July 21, 2011.

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Article I

JURISDICTION

(1) The Association is a “savings association” within the meaning of 12 U.S.C. §1813(b) and 12 U.S.C. § 1462(4). Accordingly, the Association is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c)(2).

(2) Respondent is a Senior Vice President of the Association and is an “institution-affiliated party” (“IAP”) of the Association as that term is defined in 12 U.S.C. § 1813(u), having served in such capacity within six (6) years from the date hereof (see 12 U.S.C. § 1818(i)(3)).

(3) Pursuant to 12 U.S.C. § 1813(q), the Comptroller is the “appropriate Federal banking agency” to maintain an enforcement proceeding against institution-affiliated parties. Therefore, Respondent is subject to the authority of the Comptroller to initiate and maintain cease and desist and civil money penalty proceedings against her pursuant to 12 U.S.C. § 1818(b) and (i).

Article II

COMPTROLLER’S FINDINGS

The Comptroller finds the following:

(1) Between April 20, 2007 and September 30, 2007, Respondent served as the Association’s Bank Secrecy Act Officer and was responsible for the filing of Currency Transaction Reports (“CTRs”) on behalf of the Association.

(2) Between April 20, 2007 and September 30, 2007, Respondent knowingly failed to file sixty-nine (69) CTRs that the Association was required to file pursuant to 31 U.S.C. § 5313(a), and the regulations promulgated there under, 31 C.F.R. § 103.22, causing the Association to be in violation of those provisions.

(3) On or about July 24, 2007, Respondent prepared and submitted a signed report to the Association's board of directors certifying that 38 of the CTRs referred to in the immediately preceding paragraph had been electronically filed.

(4) By reason of the foregoing, Respondent engaged in violations of Subchapter II of Chapter 53 of Title 31.

Article III

CEASE AND DESIST ORDER

Pursuant to 12 U.S.C. § 1818(b), the Comptroller hereby orders that:

(1) At any time that the Respondent is an IAP of any "insured depository institution" (as defined in 12 U.S.C. § 1813(c)(2)), she shall:

- (a) neither serve as a Bank Secrecy Act compliance officer nor manage, supervise, or oversee any aspect of an insured depository institution's compliance with the Bank Secrecy Act and its implementing regulations;²

² BSA/AML laws, regulations, and regulatory guidance include, but are not limited to, the Currency and Foreign Transactions Reporting Act, as amended by the USA PATRIOT Act and other laws (the Bank Secrecy Act or BSA), 31 U.S.C. §§ 5311 et seq., and the related regulations issued and/or administered by the U.S. Department of the Treasury, 31 C.F.R. §§ 103.11 et seq., and the related BSA regulations issued by OCC, 12 C.F.R. Part 21 and 12 C.F.R. § 163.177.

- (b) not provide any substantive reports to any insured depository institution's board of directors; provided, however, that this limitation does not prevent her from providing administrative or clerical support to the board, including assembling board packages and recording the notes of board meetings;
- (c) comply fully with all laws, rules, and regulations pertaining to such insured depository institutions;
- (d) not engage in any "unsafe or unsound practices", as that term is used in Title 12 of the United States Code;
- (e) fulfill the fiduciary duties of loyalty and care owed to any insured depository institution with which she is or may become affiliated and, at all times, not place her own interests above those of any insured depository institution; and
- (f) adhere to the written policies and procedures of any insured depository institution to which she may become affiliated.

(2) Respondent shall immediately provide a copy of this Order to the chief executive officer and board of directors of the Association and within ten (10) days of disclosure, provide written certification of compliance with this disclosure obligation to the Director of the Enforcement and Compliance Division, Office of the Comptroller of the Currency, 250 E Street, S.W., Washington, DC, 20219.

(3) Prior to accepting any new position that causes her to become an IAP of any other insured depository institution, Respondent shall provide the chief executive officer or president and board of directors of the insured depository institution with a copy of this Order.

(4) Within ten (10) days of her acceptance of any position described in paragraph (3) of this Article, Respondent shall provide written notice of such acceptance to the Director of the Enforcement and Compliance Division, Office of the Comptroller of the Currency, at the address above, together with a written certification of her compliance with paragraph (3) of this Article.

(5) This Order shall be enforceable to the same extent and in the same manner as an effective and outstanding order that has been issued and has become final pursuant to 12 U.S.C. § 1818(b).

Article IV

ORDER FOR CIVIL MONEY PENALTY

Respondent hereby consents to, and it is ordered that:

(1) Respondent shall pay a civil money penalty in the amount of five thousand dollars (\$ 5,000.00), which shall be paid upon execution of this Order.

(2) Respondent shall make payment in full by certified check or money order made payable to the Treasurer of the United States and shall deliver the payment to: Comptroller of the Currency, P.O. Box 979012, St. Louis, Missouri 63197-9000. The docket number of this case (AP-11-02) shall be entered on all checks.

(3) This Order shall be enforceable to the same extent and in the same manner as an effective and outstanding order that has been issued and has become final pursuant to 12 U.S.C. §§ 1818(i) (as amended).

(4) Within seven (7) days from the issuance of this Order, Respondent shall notify the Director of the Enforcement & Compliance Division (“Enforcement Director”) of the address of her current place of residence, by completing the form attached hereto as Appendix A.

Article V

WAIVERS

- (1) By executing this Order, Respondent waives:
- (a) all rights to a hearing and a final agency decision pursuant to 12 U.S.C. § 1818 and 12 C.F.R. Part 109;³
 - (b) all rights to seek judicial review of this Order;
 - (c) all rights in any way to contest the validity of this Order; and
 - (d) any and all claims for fees, costs or expenses against the Comptroller, or any of his agents or employees, related in any way to this enforcement matter or this Order, whether arising under

³ In order to facilitate the OCC’s enforcement and administration of former OTS rules and to make appropriate changes to these rules to reflect OCC supervision of federal savings associations as of the transfer date, the OCC republished, with nomenclature and other technical changes, the OTS regulations formerly found in Chapter V of Title 12 of the Code of Federal Regulations. The republished regulations are codified with the OCC’s regulations in Chapter I at parts 100 through 197 (“Republished Regulations”), effective on July 21, 2011. The Republished Regulations supersede the OTS regulations in Chapter V for purposes of OCC supervision and regulation of federal savings associations. OTS Integration Pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection

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common law or under the terms of any statute, including, but not limited to, the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412.

- (e) any and all rights to assert a “double jeopardy” claim in the event of a criminal prosecution brought by the Department of Justice, and any and all rights to assert a “res judicata” claim in the event of a civil action brought by another agency within the United States government, for the acts which form the basis for the issuance of this Order.

(2) Respondent shall not cause, participate in or authorize the Association (or any subsidiary or affiliate thereof) to incur, directly or indirectly, any expense for the payment of the civil money penalty under this Order, or any legal (or other professional) expense relative to the negotiation and issuance of this Order except as permitted by 12 C.F.R. § 145.121 and Part 359; and Respondent shall not, directly or indirectly, obtain or accept any indemnification (or other reimbursement) from the Association (or any subsidiary or affiliate thereof) with respect to such amounts except as permitted by 12 C.F.R. § 145.121 and Part 359.

(3) Respondent acknowledges that she has read and understands the premises and obligations of this Order and declares that no separate promise or inducement of any

kind has been made by the Comptroller, his agents or employees to cause or induce Respondent to agree to consent to the issuance of this Order and/or to execute this Order.

(4) It is hereby agreed that the provisions of this Order constitute a settlement of the administrative proceedings by the Comptroller. The Comptroller agrees not to institute proceedings for the specific acts, omissions, or violations referenced in the Notice, unless such acts, omissions, or violations reoccur.

(5) It is further agreed that the provisions of this Order, except as set forth above in paragraph (4), shall not inhibit, estop, bar, or otherwise prevent the Comptroller from taking any action affecting Respondent if, at any time, he deems it appropriate to do so to fulfill the responsibilities placed upon him by the several laws of the United States of America.

(6) Respondent further agrees not to take any action or to make or permit to be made any public statement denying, directly or indirectly, any allegation in the Notices or creating the impression that the Notices is without factual basis. If Respondent violates this provision, the OCC may set aside this settlement and restore this action to its active docket. Nothing in this paragraph shall affect Respondent's testimonial obligations.

(7) Respondent further agrees not to take any action or to make or permit to be made any public statement denying, directly or indirectly, the specific acts, omissions, or violations referenced in this Order, or otherwise creating the impression that this Order is without factual basis. If Respondent violates this provision, the OCC may set aside this

settlement and commence administrative proceedings on the actions alleged herein.

Nothing in this paragraph shall affect Respondent's testimonial obligations.

(8) Respondent understands that nothing herein shall preclude any proceedings brought by the Comptroller to enforce the terms of this Order, and that nothing herein constitutes, nor shall Respondent contend that it constitutes, a waiver of any right, power, or authority of any other representatives of the United States or agencies thereof, including the Department of Justice, to bring other actions deemed appropriate.

Article VI

CLOSING

(1) This Order is and shall be effective upon its execution by the Comptroller, through his authorized representative whose hand appears below. The Order shall remain effective and enforceable, except to the extent that, and until such time as, any provisions of this Order shall have been amended, suspended, waived, or terminated in writing by the Comptroller.

(2) The terms of this Order, including this paragraph, are not subject to amendment or modification by any extraneous expression, prior agreements, or prior arrangements between the parties, whether oral or written.

IN TESTIMONY WHEREOF, the undersigned have hereunto set their hands.

James R. Moore
James R. Moore
Director for Special Supervision

August 15, 2011
Date

Pamillia G. Wilson
Pamellia G. Wilson

Aug. 12, 2011
Date