

**#2010-158**

*Terminates #2009-049*

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

**TERMINATION OF THE FORMAL AGREEMENT  
BY AND BETWEEN  
MERCHANTS BANK OF CALIFORNIA, NATIONAL ASSOCIATION,  
CARSON, CALIFORNIA  
AND  
THE COMPTROLLER OF THE CURRENCY**

WHEREAS, in an effort to protect the depositors, other customers and shareholders of the Merchants Bank of California, National Association, Carson, California (“Bank”), and to ensure the Bank’s operation in a safe and sound manner and in accordance with all applicable laws, rules and regulations, the Bank and the Comptroller of the Currency of the United States of America (“Comptroller”), entered into a Formal Agreement, dated March 31, 2009;

WHEREAS, the Comptroller believes that the protection of the depositors, other customers and shareholders of the Bank as well as its safe and sound operation now require that the Bank enter into a Consent Order, the contents of which shall supersede this Formal Agreement; and

WHEREAS, the Bank and the Comptroller entered into the aforementioned Consent Order on June 22, 2010;

NOW, THEREFORE, the Comptroller directs that the Formal Agreement between the Bank and the Comptroller be, and hereby is, TERMINATED.

IN TESTIMONY WHEREOF, the undersigned, designated by the Comptroller as his authorized representative, has hereunto set his hand.

/s/

6/30/2010

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Richard S. Dixon, Jr.  
Assistant Deputy Comptroller  
Southern California–North Field Office

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Date