

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

In the Matter of:)
)
Eileen B. Fish) OCC AA-EC-2009-65
Former Home Loan Sales Manager)
)
JPMorgan Chase Bank, N.A.)
Columbus, Ohio)

DECISION AND ORDER ON ENTRY OF DEFAULT

This matter is before the Comptroller of the Currency (“Comptroller” or “OCC”) on the recommendation of the Administrative Law Judge (“ALJ”) for entry of default against Eileen B. Fish (“Respondent”), a former employee of JPMorgan Chase Bank, N.A. A Notice of Charges to Prohibit Further Participation (“Notice”), issued by the OCC pursuant to section 8 (e) of the Federal Deposit Insurance Act (“Act”), 12 U.S.C. §1818(e), seeks an order prohibiting Respondent from further participation in the financial services industry. Upon consideration of the pleadings, the ALJ’s Recommended Decision and the entire record, the Comptroller concludes that Respondent is in default and orders that Respondent is prohibited from any further participation in the conduct of the affairs of any institution or entity set forth in 12 U.S.C. §1818(e).

I. Factual Summary and Procedural History

The uncontested facts giving rise to this decision are described in detail in the ALJ’s Recommended Decision. Briefly, Respondent was employed as a Home Loan Sales Manager at the JPMorgan Chase Bank, N.A., Columbus, Ohio. During the period April – August 2006, Respondent submitted approximately 19 fictitious vouchers to the bank requesting payment to a

third party vendor of the bank. Respondent fraudulently affixed her supervisor's signature to each voucher. The checks were deposited into Respondent's personal checking account at another bank. As a result, the bank suffered a loss of approximately \$48,000. Respondent made partial restitution to the bank of approximately \$32,742.

The Notice initiating this proceeding was served on Respondent on November 13, 2009, at her home address by way of UPS overnight mail and electronic mail. Respondent filed a response by electronic mail. When Enforcement Counsel moved to strike Respondent's electronic message, Respondent failed to reply to the motion, and the ALJ granted the motion. After Respondent failed to respond to the ALJ's order to file an Answer, Enforcement Counsel moved for entry of an order on default under 12 C.F.R. § 19.19(c)(1). The ALJ then issued an Order to Show Cause directing Respondent to appear and show good cause why the default motion should not be granted. Respondent failed to respond to either the default motion or the ALJ's Show Cause Order, whereupon the ALJ granted Enforcement Counsel's motion and recommended that the Comptroller enter a final decision containing the findings and relief sought in the Notice.

II. Decision

The Comptroller agrees with the ALJ that Respondent is in default. Further, the Comptroller adopts the ALJ's Findings of Fact and his Conclusions of Law. Under the latter, Respondent violated 18 U.S.C. § 1005 by making false entries in the bank's books. She engaged in unsafe or unsound practices in conducting the bank's affairs and breached her fiduciary duty to the bank. By reason of such violations of law, unsafe or unsound practices, and breaches of fiduciary duty, the bank suffered financial loss and Respondent received financial gain. Such

practices resulted in unjust enrichment to Respondent and demonstrated a willful or continuing disregard for the bank's safety or soundness.

III. Order

1. The Respondent, Eileen B. Fish, is hereby prohibited from and shall not participate in any manner in the conduct of the affairs of any insured depository institution, agency, or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A), without the prior written consent of the Comptroller of the Currency, and where necessary, the consent of another federal financial institutions regulatory agency specified in section 8(e)(7)(D), 12 U.S.C. §1818(e)(7)(D), including, but not limited to:

- a) serving as an officer, director, or employee of any financial institution or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A); and
- b) soliciting, procuring, transferring, attempting to transfer, voting, or attempting to vote any proxy, consent, or authorization with respect to any voting rights in any financial institution enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. §1818(e)(7)(A).

SO ORDERED.

Dated: July 22, 2010

/s/ John C. Dugan
John C. Dugan
Comptroller of the Currency