

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

In the Matter of:)	
)	
Richard Vanderpool)	AA-WE-12-26
Former Member of the Board of Directors)	
Chino Commercial Bank, National Association)	
Chino, California)	
)	

STIPULATION AND CONSENT ORDER

WHEREAS, the Comptroller of the Currency of the United States of America (“Comptroller”) intends to initiate civil money penalty proceedings against Richard Vanderpool (“Respondent”), a former Member of the Board of Directors of Chino Commercial Bank, National Association, Chino, California; 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, the Comptroller and Respondent desire to enter into this Stipulation and Consent Order (“Order”);

NOW, THEREFORE, in consideration of the above premises, it is stipulated by and between the Comptroller, through his duly authorized representative, and Respondent that:

Article I

JURISDICTION

(1) Chino Commercial Bank, National Association, Chino, California (“Bank”) is a national banking association, chartered and examined by the Comptroller, pursuant

to the National Bank Act of 1864, as amended, 12 U.S.C. § 1 *et seq.* Accordingly, the Bank is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c)(2).

(2) Respondent was a member of the Board of Directors of the Bank until September 16, 2010 and is an “institution-affiliated party” of the Bank 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 enforcement proceedings against institution-affiliated parties. Therefore, Respondent is subject to the authority of the Comptroller to initiate and maintain civil money penalty proceedings against him pursuant to 12 U.S.C. § 1818(i).

Article II

COMPTROLLER’S FINDINGS

(1) Pursuant to the authority invested in him by the Federal Deposit Insurance Act, as amended, 12 U.S.C. § 1818, the Comptroller hereby finds, and Respondent neither admits nor denies, the following:

- (a) While a member of the Board of Directors of the Bank, Respondent:
 - (i) failed to provide proper oversight of the Bank and to take the necessary actions to ensure the Bank complied with insider lending laws and regulations;

- (ii) approved loans to insiders which involved more than the normal risk of repayment or presented other unfavorable features;
 - (iii) received loans for himself and his related interest which involved more than the normal risk of repayment or presented other unfavorable features;
 - (iv) wrote numerous impermissible overdrafts on his personal accounts; and
 - (v) wrote numerous overdrafts on an account of his related interest which created unsecured extensions of credit that involved more than the normal risk of repayment or presented other unfavorable features; and
- (b) By reason of the above actions, Respondent caused, allowed, contributed to, or brought about violations of 12 U.S.C. § 375b and 12 C.F.R. Part 215 (regarding restrictions on loans to insiders).

Article III

ORDER FOR CIVIL MONEY PENALTY

(1) Respondent hereby consents to the payment of a civil money penalty in the amount of seven thousand five hundred dollars (\$7,500.00), which shall be paid with an initial payment of two thousand five hundred dollars (\$2,500.00) due upon execution of this Order and thereafter, ten equal monthly installments of five hundred dollars (\$500.00) each, which shall be due by the 15th day of each month hereafter beginning

with March 15, 2012 and the final installment due December 15, 2012. If Respondent fails to comply with any provision of this Article, then the entire balance of the civil money penalty amount described in this Article shall become immediately due and payable.

(2) Respondent shall make the payments required by Paragraph (1) of this Article in the full amount by check 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 shall be entered on the check. Respondent shall provide a signed original copy of this Order, along with a photocopy of each check, to the District Counsel, Office of the Comptroller of the Currency, 1225 17th Street, Suite 300, Denver, Colorado 80202.

(3) With the execution of this Order, Respondent shall provide notice to the District Counsel of the address of his current place of residence, by completing the form attached hereto as Appendix A. Until the civil money penalty is paid in full, upon each and every subsequent change in place of residence, if any, Respondent shall notify the Director, Enforcement and Compliance Division, 250 E St., S.W., Washington, D.C. 20219, of his new address within seven (7) days of such change in address.

(4) If Respondent files for bankruptcy protection prior to making payment in full of the civil money penalty required by this Order, Respondent shall notify the Enforcement Director, 250 E St., S.W., Washington, D.C. 20219, within ten (10) days of the filing and shall provide a copy of such filing.

(5) In any bankruptcy proceeding in which it is or may be contended that Respondent's obligation to pay the civil money penalty pursuant to this Order is subject to discharge, Respondent will in no manner contest the assertion of the Comptroller or any agent, officer or representative of the United States, pursuant to 11 U.S.C. § 523(a) or otherwise, that the civil money penalty obligation in the Order arises out of acts which result in claims not dischargeable in bankruptcy.

(6) 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(h) and (i) (as amended).

Article IV

WAIVERS

- (1) By executing this Order, Respondent waives:
 - (a) The right to the issuance of a Notice of Civil Money Penalty Assessment under 12 U.S.C. § 1818(i);
 - (b) All rights to a hearing and a final agency decision pursuant to 12 U.S.C. § 1818(i) and 12 C.F.R. Part 19;
 - (c) All rights to seek judicial review of this Order;
 - (d) All rights in any way to contest the validity of this Order;
 - (e) 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 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; and

- (f) All rights to assert a “double jeopardy” claim in the event of a criminal prosecution brought by the Department of Justice for the acts which form the basis for issuance of this Order.

(2) Respondent shall not cause, participate in or authorize the Bank (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. § 7.2014 and Part 359; and Respondent shall not, directly or indirectly, obtain or accept any indemnification (or other reimbursement) from the Bank (or any subsidiary or affiliate thereof) with respect to such amounts except as permitted by 12 C.F.R. § 7.2014 and Part 359.

(3) It is hereby agreed that the provisions of this Order constitute a settlement of the civil money penalty proceedings contemplated by the Comptroller. The Comptroller agrees not to institute proceedings for the specific acts, omissions, violations or breaches set forth in Article II above, unless such acts, omissions, violations or breaches reoccur, or the Comptroller learns that Respondent has made any false statement or misrepresentation to the Comptroller or any of his agents or employees in connection with the investigation or review of this matter.

(4) Except as set forth in paragraph (3) of this article, it is further agreed that the provisions of this Order shall not inhibit, estop, bar, or otherwise prevent the

Comptroller from taking any action affecting the 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.

(5) 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.

(6) Respondent expressly acknowledges that no officer or employee of the OCC has statutory or other authority to bind the United States, the United States Department of the Treasury, the OCC, any other federal bank regulatory agency or entity, or any officer or employee of any of those entities to a contract affecting the OCC's exercise of its supervisory responsibilities.

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

/s/

March 1, 2012

Kay E. Kowitt
Deputy Comptroller
Western District

Date

/s/

February 22, 2012

Richard Vanderpool

Date