



Office of the Chief Counsel
Central District
425 South Financial Place, Suite 1700
Chicago, Illinois 60605

May 10, 2024

via UPS

Montaniasha Mabry



Subject: Fifth Third Bank, Cincinnati, OH (Bank)

Dear Ms. Mabry:

The Office of the Comptroller of the Currency (OCC) is a bureau of the United States Department of the Treasury that regulates national banks and federal savings associations. The OCC has become aware of your July 6, 2022, pretrial diversion in connection with your violation of TN Code § 39-14-103 based on theft.¹ Because your pretrial diversion is based on a crime which involves dishonesty, a breach of trust, or money laundering, the OCC has reason to believe you are automatically subject to the prohibitions set forth in 12 U.S.C. §§ 1829 and 1785(d) by operation of law (not as a result of any OCC action). There are expirations of and exceptions to these prohibitions, which are stated in 12 U.S.C. §§ 1829(c) and 1785(d)(4). Please refer to these statutes to determine if or when the described prohibitions will no longer apply.

For as long as you are subject to the prohibitions described in 12 U.S.C. §§ 1829 and 1785(d), you may not participate, directly or indirectly, in any manner in the conduct of the affairs of any insured depository institution, which includes banks and savings associations, or credit unions. This includes being an employee or officer of any such institution. These statutes do not prohibit you from being a customer of a bank, savings association, or credit union, e.g., having a loan or checking account at such an institution.

If during the period you are subject to the prohibitions described in 12 U.S.C. §§ 1829 and 1785(d) you desire to participate in the conduct of the affairs of any insured depository institution or credit union, you must first receive the approval of the Federal Deposit Insurance Corporation (FDIC) with respect to insured depository institutions, or the National Credit Union Administration Board (NCUA) with respect to credit unions.

Please be aware that 12 U.S.C. §§ 1829 and 1785(d) provide for fines not exceeding \$1,000,000 for each day the statutory prohibitions are violated, a term of imprisonment of not more than five years, or both. Should a knowing violation of 12 U.S.C. §§ 1829 or

¹ In the Criminal Court for Davidson County, Tennessee. Judicial District: 20th. Judicial Division II. State of Tennessee vs. Montaniasha Mabry, Case No. 2022-I-97.

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1785(d) occur, both you and the institution could be subject to the penalties provided by statute.

If you believe this letter has been sent to you in error or that the prohibitions in 12 U.S.C. §§ 1829 and 1785(d) have ceased to be applicable, such as in the event there is an order of expungement, sealing, or dismissal that has been issued regarding the conviction and it is intended that the conviction shall be destroyed or sealed, please contact the OCC to request a review. Please also be advised that this letter or a reference to the existence of this letter may be published on the OCC's public website, www.occ.treas.gov.

If you have any questions regarding this letter, please contact [REDACTED] by mail to: Office of the Comptroller of the Currency, Enforcement, 400 7th Street, SW, Mail Stop 9E-11, Washington, D.C. 20219.

Sincerely,

//s// Digitally Signed, Dated: 2024.05.10

Damon J. Savoy
District Counsel