

**UNITED STATES OF AMERICA**  
**Before The**  
**OFFICE OF THRIFT SUPERVISION**

In the Matter of:	)	
	)	
<b>GREG L. DIAZ</b>	)	<b>No.: AP-09-03</b>
	)	
Person Subject to Final Prohibition Order	)	<b>OTS Order No. 2011-17</b>
Issued Pursuant to 12 U.S.C. § 1818(e)	)	
And Former Institution Affiliated Party of	)	<b>Dated: March 2, 2011</b>
Central Federal Savings and Loan	)	
Association, Cicero, Illinois	)	
	)	
OTS Docket No. 01567	)	
	)	

**DECISION**

**I. Introduction and Summary of Conclusions**

This is an administrative proceeding pursuant to Section 8(i)(2)(A) of the Federal Deposit Insurance Act (FDIA), 12 U.S.C. § 1818(i)(2)(A), in which the Office of Thrift Supervision (“OTS”) seeks a civil money penalty in the amount of \$2,500 against Greg L. Diaz (Diaz). Diaz is subject to [a final and] outstanding Order of Prohibition dated March 4, 2004 (“the Prohibition Order”) <sup>1</sup> issued by OTS pursuant to Section 8(e) of the FDIA, 12 U.S.C. § 1818(e), which arose from Diaz’s conduct when he was an employee and institution-affiliated party (“IAP”) of a federal savings association. In this proceeding OTS contends that Diaz violated the Prohibition Order through his subsequent employment at a firm that provides consulting services to insured depository institutions, which made Diaz an IAP pursuant to 12 U.S.C. § 1813(u)(3),<sup>2</sup> and thus

---

<sup>1</sup> OTS Order No. ATL-2004-08.

<sup>2</sup> An IAP includes a consultant who participates in the conduct of the affairs of an insured depository institution. 12 U.S.C. § 1813(u)(3).

subject to civil money penalties. OTS bases this proceeding for civil money penalties on violations of the Prohibition Order, Section 8(e)(7)(C) of the FDIA, 12 U.S.C. § 1818(e)(7)(C), and of Section 19 of the FDIA, 12 U.S.C. § 1829.<sup>3</sup> (Second Am. Notice at ¶¶ 1-3, 5-6). The alleged violation of Section 19 arises from Diaz’s consulting work after pleading guilty to embezzlement of funds.

Based upon a review of the record in this matter, the OTS Acting Director concludes in this Decision that the record in this case establishes that Diaz, an IAP subject to the authority of OTS pursuant to 12 U.S.C. § 1813(u)(3), violated the Prohibition Order and section 19 of the FDIA, 12 U.S.C. § 1829. The OTS Acting Director therefore issues this Decision assessing a civil money penalty in the amount of \$2,500 against Diaz.

## **II. Background**

### **Procedural History and the Recommended Decision of the Administrative Law Judge (“ALJ”)**

On March 4, 2004, OTS issued the Prohibition Order relating to Diaz, former compliance officer of Central Federal Savings & Loan Association, Cicero, Illinois (“Central”). The Prohibition Order, to which Diaz consented, prohibited Diaz from holding “any office in, or participat[ing] in any manner in the conduct of the affairs of any institution or any agency specified in 12 U.S.C. § 1818(e)(7)(A),” except upon prior written consent of OTS and any other appropriate Federal financial institutions regulatory agency. (Jt. Ex. 3; Second Am. Notice at ¶¶ 2, 28, 29).

On December 28, 2009, OTS issued a Notice of Assessment of Civil Money Penalty to Diaz. OTS subsequently filed two amended notices, including a Second Amended Notice of

---

<sup>3</sup> Section 19 provides in pertinent part that, except with the FDIC's prior written consent, any person who has been convicted of a crime involving dishonesty or breach of trust ... may not become, or continue as, an IAP of any insured depository institution;... or “otherwise participate, directly or indirectly, in the conduct of the affairs of any; insured depository institution.” 12 U.S.C. § 1829(a)(1).

Assessment of Civil Money Penalty (“the Second Amended Notice”) on March 10, 2010. The Second Amended Notice alleges that Diaz, as a consultant to insured depository institutions, was an IAP (Second Am. Notice at ¶¶ 2, 5, 44), and that grounds exist to assess civil money penalties against Diaz pursuant to Section 8(i)(2)(A) of the FDIA, 12 U.S.C. § 1818(i)(2)(A) (Second Am. Notice at ¶¶ 1, 3, 48-50). Specifically, the Second Amended Notice alleges that Diaz participated in the affairs of an insured depository institution and thereby violated the Prohibition Order. (Second Am. Notice at ¶¶ 2, 8-29, 36-45). In addition, Diaz allegedly violated Section 19 of the FDIA, 12 U.S.C. § 1829, by participating in the affairs of an insured depository institution following his conviction for a crime involving dishonesty or breach of trust. (Second Am. Notice at ¶¶ 2-3, 9-26, 30-42 46-50).

Diaz, appearing *pro se*, filed a response to the Second Amended Notice on March 17, 2010. His response did not meet the specificity requirements in 12 C.F.R. § 509.19(b), however, and on April 19, 2010, the ALJ, upon motion of the OTS, issued an order deeming as admitted the allegations of the Second Amended Notice.

On June 18, 2010, OTS moved for summary disposition, alleging that no genuine issue of any material fact exists. On June 27, 2010, Diaz responded, stating that he believed that he had not violated the Prohibition Order based on statements made by the judge at Diaz’s criminal sentencing hearing for embezzlement. The ALJ issued a Notice of Intended Ruling on July 12, 2010, which advised that the ALJ intended to grant partial summary disposition in favor of OTS on the issue of whether a civil money penalty is warranted.

A hearing was held on September 9, 2010 to take evidence with respect to the amount of the penalty. Both parties appeared and presented evidence.

On November 29, 2010, the ALJ filed a Recommended Decision on Summary Disposition ("the Recommended Decision"), in which the ALJ recommended a first tier civil money penalty in the amount of \$2,500 against Diaz.

### **Facts**

On October 16, 2003, Central terminated Diaz's employment as a compliance officer because Diaz had withdrawn money without consent from a customer account. (Second Am. Notice at ¶ 7). Diaz then began working at Thomas Compliance Associates ("TCA"), a consulting company that provided services to insured depository institutions. Diaz worked at TCA from January 2, 2004 through July 31, 2008. (Second Am. Notice at ¶¶ 9, 36; Tr. at 13). He conducted over 50 onsite lending and compliance audits or reviews and provided forward looking advice to management and staff at over 20 financial institutions. (Second Am. Notice at ¶¶ 11, 24, 37). In addition, Diaz performed independent anti-money laundering program compliance testing, a required bank function, and provided advice to these institutions on strengthening their anti-money laundering programs. (Second Am. Notice ¶ 23). While providing these services, Diaz had access to confidential bank customer information and to confidential documents and processes of insured depository institutions. (Second Am. Notice at ¶ 21.)

While employed at TCA, Diaz consented to the issuance of the Prohibition Order on March 4, 2004 (Jt. Ex. 1 & 3), and on August 29, 2005 pled guilty in federal court to one count of embezzlement from an account at Central. (Second Am. Notice at ¶¶ 30, 31; Jt. Ex. 4 & 5). At the sentencing hearing on November 29, 2005, in response to a question from Diaz's counsel, the judge stated that Diaz's conviction would not prevent Diaz from continuing to work at TCA as a consultant for insured depository institutions. Diaz made neither his attorney in the criminal

proceeding nor the sentencing judge aware of the Prohibition Order, and the Prohibition Order was not discussed at the sentencing hearing. (Jt. Ex. 5, at 9-10, Tr. at 34-36).

At no time did Diaz obtain approval from OTS or the FDIC to work at TCA. (Second Am. Notice at ¶ 35, 43; Tr. at 19-20).

### **III. Discussion**

The disposition of this proceeding requires a determination whether Diaz participated in the conduct of the affairs of an insured depository institution in violation of the Prohibition Order and Section 19 of the FDIA, 12 U.S.C. § 1829. The Prohibition Order, to which Diaz had consented, prohibited Diaz from “participating in any manner in the affairs” of an insured depository institution. OTS contends that Diaz was an IAP subject to civil money penalties because he was a “consultant ... who participate[d] in the conduct of the affairs of an insured depository institution.” 12 U.S.C. § 1813(u)(3). (Second Am. Notice at ¶ 5). Further, OTS contends that Diaz violated Section 19 because, after pleading guilty to a crime involving dishonesty or a breach of trust, Diaz “participate[d], directly or indirectly, in the conduct of the affairs of any insured depository institution,” without obtaining the prior written consent of the FDIC. (Second Am. Notice at ¶¶ 35-42).

A previous decision of this agency sets forth factors to determine whether a person participated in the conduct of the affairs of an insured depository institution.<sup>4</sup> Relying upon decisions of the courts and the FDIC, OTS considered “the nature of the work to be performed; the ability of respondent to cause harm to the institution; the relationship between the role performed by the respondent and the institution; and respondent’s discretion over the operations

---

<sup>4</sup> *In the Matter of Lawrence B. Seidman*, OTS Order No. AP-94-22, at 4 (1994) (citations omitted).

of the institution.”<sup>5</sup> Applying these factors, OTS determined in *Seidman* that a respondent had not made an adequate showing that a prohibition order permitted the respondent to represent shareholders of an insured depository institution in the acquisition of another institution.<sup>6</sup>

One of the FDIC's decisions upon which OTS relied more fully explains how OTS should apply these factors.<sup>7</sup> In the *Stoller* decision the FDIC stated that “participating in any manner in the conduct of the affairs’ of a financial institution”<sup>8</sup> is a phrase that “appears to the [FDIC] to sweep very broadly, encompassing without question the work of a lawyer or other independent contractor in a position of trust advising or representing the institution in matters

---

<sup>5</sup> *In the Matter of Lawrence B. Seidman*, OTS Order No. AP-94-22, at 4, n.5 (1994), citing *FSLIC v. Hykel*, 333 F. Supp. 1308, 1310-12 (E.D. Pa. 1971), *vacating as moot*, 468 F. 2d 1386 (3d Cir. 1972) (president and director of savings association at the time of his indictment prohibited from serving as real estate agent for savings association); *In the Matter of Frank E. Jameson*, FDIC-89-83e, 2 FDIC Enf. Dec. & Ord. P-H ¶ 5154A at A-1542.3 (1990), *aff’d on other grounds*, 931 F.2d 290 (5<sup>th</sup> Cir. 1991) (independent consultant who reviewed loan files for proper documentation participated in the affairs of an insured depository institution and thus was an IAP subject to removal and prohibition order). See also *In the Matter of Richard M. Wright, Jr.*, FDIC-89-83e, FDIC Enf. Dec. & Ord. P-H (Transfer Binder) ¶ 5264 (2000) (no modification of prohibition order to permit an attorney to advise banks how to draft disclosure documents for underwriting municipal securities because attorney would be in a position to cause harm to banks).

<sup>6</sup> *In the Matter of Lawrence B. Seidman*, OTS Order No. AP-94-22, at 3-4 (1994).

<sup>7</sup> *In the Matter of Robert S. Stoller*, FDIC 90-115e, 1 FDIC Enf. Dec. & Ord. P-H ¶ 5184, at A-2084-85 (Sept. 22, 1992). The FDIC used three factors of the four factors used by the OTS: it did not include as a factor the respondent’s Discretion over the operations of the depository institution, although the FDIC actually considered this factor when it determined that the respondent had an opportunity to harm an institution. See *id.* At A-2085.

<sup>8</sup> In *Cavallari v. OCC*, 57 F.3d 137 (2d Cir. 1995), and *Grant Thornton, LLP v. OCC*, 514 F.3d 1328 (D.C. Cir. 2008), the appellate courts considered the meaning of “knowingly or recklessly participate in ... any unsafe or unsound practice,” 12 U.S.C. § 1813(u)(4), to determine whether independent contractors were IAPs. In *Cavallari* the appellate court concluded that an attorney was an IAP. The attorney had advised the bank to take an action that violated an agency cease and desist order but had not participated in the bank’s decision making. 57 F.3d at 142-43. In contrast, the appellate court in *Grant Thornton, LLP* concluded that an external auditor was not an IAP. Due to the auditor’s reckless failure to meet auditing standards, the audit had not uncovered a bank’s unsafe and unsound banking practices. The appellate court concluded that, because the classic reporting function of external auditors was not a banking practice, the auditor did not participate in the unsafe and unsound banking practices. Unlike the attorney in *Cavallari*, who advised the bank and played a “directing role,” even if a minor one, the auditor provided no advice to the bank and played no directing role. 514 F.3d at 1329-35. The appellate court in *Grant Thornton, LLP* thus set forth a different factor (a directing role) for evaluating whether a person has knowingly or recklessly participated in any unsafe and unsound banking practice and is an IAP. Here, the relevant factors are those set forth by OTS and the FDIC for evaluating whether a person has participated in the affairs of an insured depository institution and thus violated a prohibition order, however.

relating to lending or other sensitive areas.”<sup>9</sup> The FDIC further noted that this phrase has included individuals without a title or explicit authority in an insured depository institution if they had an opportunity to harm the institution. The FDIC found that making real estate loans is a fundamental part of a bank’s business, and an attorney providing legal representation to a bank in connection with real estate transactions would be in a position to cause significant harm. Noting that a person already subject to a prohibition order has “invariably engaged in serious misconduct,” the FDIC stated that, in enacting the industry-wide prohibition authority, Congress intended to keep individuals subject to prohibition orders “as far as possible from any position of trust in the banking industry, particularly positions connected with the fundamental business of the industry—making loans.”<sup>10</sup> The FDIC thus clarified the prohibition order to prohibit the respondent, an independent contractor, from providing legal representation to insured depository institutions in real estate transactions without prior agency approval.<sup>11</sup>

In the instant action, as in *Seidman* and *Stoller*, the Acting Director must determine the scope of a prohibition order and interpret the meaning of “participate in any manner in the affairs” of any insured depository institution. The Acting Director also must determine whether a respondent “participate[d], directly or indirectly, in the conduct of the affairs of any insured depository institution” and violated Section 19 of the FDIA, 12 U.S.C. § 1829. Because this language in Section 19 is similar to that in the Prohibition Order, the factors set forth in *Seidman* and *Stoller* are relevant to an interpretation of Section 19.

---

<sup>9</sup> *In the Matter of Robert S. Stoller*, FDIC 90-115e, 1 FDIC Enf. Dec. & Ord. P-H ¶ 5184, at A-2084.

<sup>10</sup> *In the Matter of Robert S. Stoller*, FDIC 90-115e, 1 FDIC Enf. Dec. & Ord. P-H ¶ 5184, at A-2085.

<sup>11</sup> *In the Matter of Robert S. Stoller*, FDIC 90-115e, 1 FDIC Enf. Dec. & Ord. P-H ¶ 5184, at A-2085-86.

## **Findings of Fact**

Having reviewed the record in this proceeding, the Acting Director adopts and incorporates by reference the Recommended Decision, including the Statement of the Case, Undisputed Findings of Fact, and Analysis and Findings. As the ALJ provided a very detailed and well-reasoned Recommended Decision with citations to the record to support his findings and conclusions, the Acting Director finds it unnecessary to reiterate in this Decision the full contents of the Recommended Decision.

Instead, this Decision reiterates only the most salient points of the Recommended Decision. At the time Diaz agreed to the Prohibition Order, TCA employed Diaz as a consultant. With respect to the nature of the work performed by Diaz for TCA, the Acting Director finds that as a consultant working for TCA, Diaz reviewed and updated policies and procedures, conducted loan file reviews, deposit reviews, Bank Secrecy Act reviews, and provided training at more than 20 financial institutions. He had access to confidential bank and customer information even if he did not have the authority or ability to “manipulate any data.” (Tr. at 70). Diaz stated at the hearing that he performed the same work as a consultant for TCA as he had as a compliance officer at Central. The only exception was that he did not meet with OTS examiners. (Tr. at 38-39).

When OTS sent TCA a copy of the Prohibition Order, in August, 2004, Diaz discussed the order with his supervisor and continued working at TCA. (Tr. at 37-38, 52-54). Diaz did not seek legal advice from his own counsel or approval or clarification from OTS as to whether he could continue working at TCA. (Tr. at 32-34).

A year after OTS sent TCA a copy of the Prohibition Order, Diaz pled guilty in Federal court to embezzlement of funds at Central. (Jt. Ex. 4.) In a Plea Agreement dated August 29,

2005, Diaz acknowledged that because of his conviction, Section 19 of the FDIA, 12 U.S.C. § 1829, would “prohibit him from directly or indirectly participating in the affairs of any FDIC-insured financial institution except with the prior written consent of the FDIC and, during the ten years following his conviction, the additional approval of [the Federal] Court.” (Jt. Ex. 4, at ¶ 14). Diaz further acknowledged that if he violated the Section 19 prohibition, he could be imprisoned for up to five years and fined as much as \$1,000,000. (Jt. Ex. 4, at ¶ 14). At the sentencing hearing, the judge stated his belief that Section 19 would not prohibit Diaz’s work for TCA. (Jt. Ex. 5, at 9-10). Diaz did not seek approval from the FDIC to continue working at TCA, however. (Tr. at 32-33). Diaz did not advise his attorney in the criminal proceeding, his probation officer, or the sentencing judge about the existence of the Prohibition Order. (Tr. at 34-36).

Diaz continued to work at TCA until August, 2008. (Tr. at 13, 54). Diaz had received letters from OTS in 2006 (Tr. at 55-58) and 2007 (Jt. Ex. 10), in which OTS sought information to determine whether Diaz’s employment at TCA violated the Prohibition Order. OTS never consented to Diaz’s employment at TCA. (Tr. at 19-20).

### **Conclusions of Law**

Diaz’s employment at TCA as a consultant to insured depository institutions constituted participation in the conduct of affairs of an insured depository institution. Thus, he was an IAP with respect to the insured depository institutions for which he provided consulting services. 12 U.S.C. § 1813(u)(3). In addition, through his consulting work at TCA, Diaz “participate[d] in any manner in the conduct of the affairs of any [insured depository] institution” without approval of OTS and any other “appropriate Federal financial institutions regulatory agency,” in violation of the Prohibition Order. Further, Diaz “participated, directly or indirectly, in the conduct of the

affairs of [an] insured depository institution” after pleading guilty to a crime involving dishonesty, but did not obtain the prior written consent of the FDIC. 12 U.S.C. § 1829(a)(1)(A)(iii). Grounds exist, therefore, to assess civil money penalties against Diaz, pursuant to Section 8(i)(2)(A) of the FDIA, 12 U.S.C. § 1818(i)(2)(A), for his violations of the Prohibition Order, Section 8(e)(7)(C) of the FDIA, 12 U.S.C. § 1818(e)(7)(C), and Section 19 of the FDIA, 12 U.S.C. § 1829.

As in previous decisions considering the scope of a prohibition order,<sup>12</sup> OTS has considered the nature of the work to be performed; the ability of the respondent to cause harm to the institution; the relationship between the role performed by the respondent and the institution; and respondent’s discretion over the operations of the institution. Diaz had access to confidential bank customer information and bank confidential documents and processes, including credit reports, loan files, and deposit and cash records. (Second Am. Notice at ¶¶ 12, 17, 38, 39). He conducted independent testing of bank anti-money laundering (AML) programs and provided AML training. (Second Am. Notice at ¶ 13). Diaz held a position of trust with respect to these core banking activities, regardless of whether or not Diaz had decision-making authority. Diaz had opportunity to violate that trust even if he did not do so. Consideration of these factors leads to the conclusion that, when working at TCA as a consultant, Diaz participated in the affairs of insured depository institutions.<sup>13</sup>

---

<sup>12</sup> See, e.g., *In the Matter of Lawrence B. Seidman*, OTS Order No. AP 94-22, at 3-4 (1994).

<sup>13</sup> If the standard set forth in *Grant Thornton, LLP* for determining whether an independent contractor is an IAP were relevant, application of this standard also would lead to the conclusion that Diaz participated in the affairs of an insured depository institution. Under this standard, which requires a person to perform a “directing role,” even if minor, 514 F.3d at 1333-34, Diaz’s role as a consultant to insured depository institutions was more similar to that of the attorney in *Cavallari*, who was an IAP, than to the role of the auditors in *Grant Thornton, LLP*, who were not IAPs. Diaz held a forward-looking advisory role relating to the core banking activities lending and taking deposits.

Diaz asserted in this proceeding that he acted in good faith because his supervisor at TCA, his probation officer, and the sentencing judge told him that he could continue to work at TCA.<sup>14</sup> None of these people had authority to permit him to participate in the affairs of an insured depository institution. If Diaz sought to participate in the affairs of an insured depository institution, the Prohibition Order required Diaz to obtain the consent of the OTS and any other appropriate Federal banking agency, and, as stated in Diaz's plea agreement (Jt. Ex. 4, ¶ 14), Section 19 of the FDIA required him to obtain the consent of the FDIC and the sentencing court.<sup>15</sup> Although made aware of his obligations to do so, Diaz did not obtain the consent of OTS, the FDIC or any other Federal banking agency to work for TCA as a consultant to insured depository institutions. (Second Am. Notice at ¶¶ 35, 43, Tr. at 19-22). Especially in light of Diaz's experience as a compliance officer for Central and consultant to banks, Diaz could not reasonably conclude that the statement of a judge in a criminal proceeding could substitute for consent of the OTS to Diaz's employment by TCA, as required by the Prohibition Order, or consent of the FDIC, as required by Section 19.

Furthermore, Diaz admits that he did not advise either the sentencing judge, his counsel in the criminal proceeding, or his probation officer about the existence of the Prohibition Order. (Tr. at 34-36). Diaz could not reasonably rely upon statements made by people to whom he had failed to disclose the existence of the Prohibition Order. Good faith is not a mitigating factor here. The evidence described above does not provide a basis for reducing the amount of the civil money penalty sought by OTS.

---

<sup>14</sup> Response of Greg L. Diaz dated June 28, 2010 (filed June 27, 2010); Tr. at 10, 37-38, 50, 71.

<sup>15</sup> During the ten-year period following Diaz's conviction, the FDIC must file a motion with, and obtain approval of, the sentencing court, if Diaz seeks to participate in the affairs of an insured depository institution. 12 U.S.C. § 1829(a)(2).

Further, with respect to the amount of the civil money penalty, the Acting Director notes that OTS could have sought a first tier civil money penalty in an amount far in excess of the \$2,500 sought. Rec. Dec. at 9-10.<sup>16</sup> The record contains ample evidence that the civil money penalty of \$2,500 sought by OTS is a significant penalty due to the financial circumstances of Diaz.<sup>17</sup>

#### **IV. Conclusion**

Having considered evidence presented at the hearing held on September 9, 2010 before the presiding administrative law judge, arguments of both parties, the record as a whole, and the Recommended Decision issued by the presiding administrative law judge, the Acting Director determines that \$2,500 is appropriate. The Acting Director affirms the Recommended Decision. The Acting Director concludes that Diaz was a consultant and IAP, according to 12 U.S.C. § 1813(u)(3), and should be assessed a civil money penalty in the amount of \$2,500 pursuant to 12 U.S.C. § 1818(i), for violating the Prohibition Order, 12 U.S.C. § 1818(e)(7)(A), and Section 19 of the FDIA, 12 U.S.C. § 1829.

Date: 3/02/2011

By: /s/  
John E. Bowman, Acting Director  
OFFICE OF THRIFT SUPERVISION

---

<sup>16</sup> For a first tier civil money penalty, with an inflation adjustment, the OTS may assess a penalty of up to \$7,500 per day for each day that a violation continues. 12 U.S.C. § 1818(i)(2)(A); Tr. at 5. The penalty for violation of Section 19 is a fine of not more than \$1 million for each day that the prohibition is violated, imprisonment for not more than five years, or both. 12 U.S.C. § 1829(b).

<sup>17</sup> Second Am. Notice; Tr. at 5-6.

**UNITED STATES OF AMERICA**  
**Before The**  
**OFFICE OF THRIFT SUPERVISION**

_____ )	
In the Matter of: )	
)	
<b>GREG L. DIAZ</b> )	<b>No.: AP-09-03</b>
)	
Person Subject to Final Prohibition Order )	<b>OTS Order No. 2011-18</b>
Issued Pursuant to 12 U.S.C. § 1818(e) )	
And Former Institution Affiliated Party of )	<b>Dated: March 2, 2011</b>
Central Federal Savings and Loan )	
Association, Cicero, Illinois )	
)	
OTS Docket No. 01567 )	
_____ )	

**CIVIL MONEY PENALTY ORDER**

The Acting Director of the Office of Thrift Supervision (OTS), pursuant to 12 U.S.C. § 1818(i)(2)(A) of the Federal Deposit Insurance Act (FDIA), having considered evidence presented at hearing held on September 9, 2010 before the presiding administrative law judge, arguments of both parties, the record as a whole, and the Recommended Decision issued by the presiding administrative law judge, hereby finds that Respondent, Greg L. Diaz (Diaz), violated Section 8(e)(7)(C) of the FDIA, 12 U.S.C. § 1818(e)(7)(C), and Section 19 of the FDIA, 12 U.S.C. § 1829. The Acting Director of OTS hereby:

ORDERS that Diaz, pursuant to 12 U.S.C. § 1818(i)(2)(A), pay civil money penalties in the amount of \$2,500.00 to the Treasurer of the United States.

IT IS FURTHER ORDERD, THAT:

- (a) Diaz must make a certified check or bank draft payable to the “Treasurer of the United States” in the amount of \$2,500.00 within 20 days of the issuance of this Order.
- (b) The certified check or bank draft must be sent with a copy of this Order to the following address: Controller's Division, Office of Thrift Supervision, 1700 G Street, N.W., Washington, D.C. 20552.
- (c) Diaz must include a cover letter with the certified check or bank draft sent to the Office of Thrift Supervision at the above-referenced address which must contain the following information: (1) the complete name of the institution, Central Savings and Loan Association, Cicero, Illinois; and (2) the case number, OTS No.: AP-09-03.
- (d) Diaz must send a copy of his certified check or bank draft and a copy of the above-referenced cover letter to Stacy P. Powers, Regional Counsel, Office of Thrift Supervision, Central Region, 1 South Wacker Drive, Suite 2000, Chicago, Illinois 60606, facsimile number (312) 917-5001.
- (e) Diaz must promptly respond to any request from the Office of Thrift Supervision for any other documents that the Office of Thrift Supervision reasonably requests to demonstrate compliance with this Order.
- (f) This Order becomes effective on the date that it is issued.

So Ordered, this 2<sup>nd</sup> day of March, 2011.

/s/

---

John E. Bowman, Acting Director  
OFFICE OF THRIFT SUPERVISION

