FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of HUAN DINH VO, individually and as an institution-affiliated party of INTERNATIOAL BANK OF COMMERCE, LAREDO, TEXAS (Insured State Nonmember Bank)	))))))))))))	NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION FDIC-16-0116e

The Federal Deposit Insurance Corporation ("FDIC") has determined that HUAN DINH VO ("Respondent"), as an institution-affiliated party of International Bank of Commerce, Laredo, Texas ("Bank"), violated laws and regulations, engaged or participated in unsafe or unsound banking practices, and/or committed or engaged in acts, omissions, or practices which constitute breaches of his fiduciary duties as an officer of the Bank; that the Bank suffered financial loss and Respondent received a benefit as a result of such violations, practices, and breaches of fiduciary duties; and that such violations, practices, and breaches of fiduciary duties demonstrate Respondent's personal dishonesty or willful or continuing disregard for the safety or soundness of the Bank.

The FDIC, therefore, institutes this proceeding for the purpose of determining whether an appropriate order should be issued against the Respondent under the provisions of 12 U.S.C. §

1818(e), prohibiting Respondent from further participation in the conduct of the affairs of the Bank and any other insured depository institution or organization listed in 12 U.S.C. § 1818(e)(7)(A), without the prior written approval of the FDIC and such other appropriate Federal financial institutions regulatory agency, as that term is defined in 12 U.S.C. § 1818(e)(7)(D).

The FDIC hereby issues this NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION ("NOTICE") pursuant to the provisions of 12 U.S.C. § 1818(e) and 12 C.F.R. Part 308; and alleges as follows:

I.

FINDINGS OF FACT

1. At all times pertinent to the charges herein, the Bank was a corporation existing and doing business under the laws of the State of Texas, having its principal place of business in Laredo, Texas. The Bank is and has been, at all times pertinent to this proceeding, an insured State nonmember bank, subject to the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1811-1831aa, the Rules and Regulations of the FDIC, 12 C.F.R. Chapter III, and the laws of the State of Texas.

2. At all relevant times, Respondent was an employee of the Bank and acted as a Branch Manager of one of the Bank's branches in Houston, Texas.

3. At all relevant times, the Respondent has been an "institution-affiliated party" as that term is defined in 12 U.S.C. § 1813(u) and for purposes of 12 U.S.C. §§ 1818(e)(7), 1818(i), and 1818(j).

4. The FDIC has jurisdiction over the Bank, the Respondent and the subject matter of this proceeding.

5. Beginning in or around July 3, 2012, until, in or around July 22, 2012, Respondent willfully, fraudulently, and without authority, made 40 unauthorized withdrawals of more than $140,700 in cash from various Bank branch locations and converted this cash to his own use.

6. Respondent misused his position as Branch Manager to access and to obtain key information regarding several Bank customers' account numbers, names, birth dates, driver license numbers, signature cards, and other personal identifying information.

7. Respondent then shared improperly gained information with three co-conspirators.

8. Respondent and his co-conspirators used the improperly gained information to create fake forms of identification and employed coordinated efforts to make numerous unauthorized withdrawals from the affected Bank customer's accounts at several Bank branches in various cities throughout south Texas.

9. In embezzling funds from the Bank customers' accounts and in attempting to conceal his theft, Respondent acted willfully and with intent to injure and defraud the Bank.

10. The amount of loss suffered by the Bank as a result of Respondent's theft and the corresponding gain to Respondent was at least $140,700.

11. On February 5, 2013, the U.S. Attorney's Office for the Southern District of Texas filed an Indictment charging Respondent with violating Title 18, United States Code, Sections 1344, 1349, and 1028A.

12. In a plea agreement signed by Respondent on October 18, 2013 ("Plea Agreement"), Respondent pled guilty to one count of Conspiracy to Commit Bank Fraud in violation of Title 18, United States Code, Section 1349; two counts of Bank Fraud in violation of Title 18, United States Code, Section 1344; and one count of Aggravated Identity Theft in violation of 18, United States Code, Section 1028A.

13. In the Plea Agreement, Respondent voluntarily agreed to the facts as referenced above in paragraphs 4 through 10.

14. On April 1, 2014 Respondent was sentenced to fifty-one (51) months incarceration and ordered to pay $140,700 in restitution to the Bank.

II.

CONCLUSIONS OF LAW

15. By means of the Respondent's foregoing acts, omissions and/or practices, Respondent has violated the law, engaged in unsafe or unsound banking practices, and breached his fiduciary duties as an officer of the Bank.

16. As a result of the violations of law, unsafe or unsound practices, and breaches of fiduciary duty to the Bank, the Bank suffered loss of at least $140,700.

17. As a result of the violations of law, unsafe or unsound practices, and breaches of fiduciary duty to the Bank, Respondent received financial gain or other benefit.

18. The acts, omissions and/or practices of the Respondent as set forth in paragraph(s) 5-14 above demonstrate a willful or continuing disregard for the safety or soundness of the Bank and evidence the Respondent's personal dishonesty.

III.

NOTICE OF HEARING ON NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION

Notice is hereby given that a hearing shall commence sixty (60) days from the date of service of this NOTICE upon Respondent, or on such date as may be set by the Administrative Law Judge assigned to hear this matter at Laredo, Texas, or at such other place as the parties to this proceeding and the Administrative Law Judge may agree, for the purpose of taking evidence on the charges herein specified, in order to determine whether a permanent order should be issued to prohibit Respondent from further participation in the conduct of the affairs of the Bank and any insured depository institution or organization enumerated in 12 U.S.C. § 1818(e)(7)(A) without the prior permission of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in 12 U.S.C. § 1818(e)(7)(D).

The hearing will be public and in all respects conducted in accordance with the provisions of the Federal Deposit Insurance Act, 12 U.S.C. §§ 1811 – 1831aa, the Administrative Procedure Act, 5 U.S.C. §§ 551-559, and the FDIC Rules of Practice and Procedure, 12 C.F.R. Part 308. The hearing will be held before an Administrative Law Judge to be appointed by the Office of Financial Institution Adjudication pursuant to 5 U.S.C. § 3105. The exact time and precise location of the hearing will be determined by the Administrative Law Judge.

Respondent is hereby directed to file an answer to the NOTICE within twenty (20) days from the date of service, as provided by 12 C.F.R. § 308.19. An original and one copy of all papers filed in this proceeding shall be served upon the Office of Financial Institution Adjudication, 3501 N. Fairfax Drive, Suite VS-D8116, Arlington, Virginia 22226-3500, pursuant to 12 C.F.R. § 308.10. Respondent is encouraged to file any answer electronically with the

Office of Financial Institution Adjudication at ofia@fdic.gov. Also, copies of all papers filed in this proceeding shall be served upon the Executive Secretary Section, Federal Deposit Insurance Corporation, 550 17th Street, N.W. (F-1058), Washington, D.C. 20429; A.T. Dill, III, Assistant General Counsel, Federal Deposit Insurance Corporation, 550 17th Street, N.W., MB 3020, Washington, D.C. 20429; and upon Stephen C. Zachary, Regional Counsel, Federal Deposit Insurance Corporation, 1601 Bryan Street, Dallas, Texas 75201.

PRAYER FOR RELIEF

The FDIC prays that an Order of Prohibition under 12 U.S.C. § 1818(e) be issued against Respondent.

Pursuant to delegated authority.

Dated at Washington, D.C., this __17th__ day of ____November_, 2016.

______/s/______________________
Patricia A. Colohan
Associate Director
Division of Risk Management Supervision