

[{{10-31-94 p.C-3743}}](#)

[¶11,029] In the Matter of Ronald S. Leventhal, Cobb American Bank and Trust Company, Marietta, Georgia, Docket No. FDIC-93-228k (8-24-94).

Respondent agrees to pay amended civil money penalty.

**In the Matter of
RONALD S. LEVENTHAL,
individually,
and as an institution-affiliated
party of
COBB AMERICAN BANK AND
TRUST COMPANY
MARIETTA, GEORGIA
(Insured State Nonmember Bank)
AMENDED ORDER TO PAY
FDIC-93-228k**

On December 13, 1993, the Federal Deposit Insurance Corporation ("FDIC") issued to Ronald S. Leventhal ("Respondent") a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING ("NOTICE OF ASSESSMENT") detailing the violations of law and regulations for which a civil money penalty may be assessed against Respondent pursuant to section 8(i)(2) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(i)(2), assessing a civil money penalty of five thousand dollars (\$5,000) against Respondent for such violations, and advising Respondent of his right to a hearing on the allegations contained in the NOTICE OF ASSESSMENT pursuant to section 8(i)(2)(H) of the Act, 12 U.S.C. § 1818(i)(2)(H), and the FDIC Rules of Practice and Procedure, 12 C.F.R. Part 308.

On June 21, 1994, the Respondent and a representative of the Legal Division of the FDIC entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN AMENDED ORDER TO PAY ("CONSENT AGREEMENT"), whereby the Respondent, solely for the purpose of this proceeding and without admitting or denying any of the violations alleged in the NOTICE OF ASSESSMENT, waived his right to a hearing by withdrawing his earlier request for a hearing in this matter, and consented and agreed to the issuance of an AMENDED ORDER TO PAY against him by the FDIC, requiring him to pay a civil money penalty in the amount of three thousand dollars (\$3,000). Respondent further consented and agreed that the AMENDED ORDER TO PAY shall be a final and unappealable order upon its issuance by the FDIC.

The FDIC considered the matter and determined it had reason to believe that Respondent had engaged in violations of law and regulations for which a civil money penalty of three thousand dollars (\$3,000) is appropriate to be assessed against him pursuant to section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2)

The FDIC, therefore, accepts the CONSENT AGREEMENT and, after taking into account the appropriateness of the penalty with respect to the financial resources and good faith of the Respondent, the history of previous violations by Respondent, and such [{{10-31-94 p.C-3744}}](#) other matters as justice may require, issues the following:

AMENDED ORDER TO PAY

IT IS HEREBY ORDERED, that the ORDER TO PAY issued against Respondent Ronald S. Leventhal on December 13, 1993, be, and hereby is, amended to assess a civil money penalty in the amount of three thousand dollars (\$3,000) against Respondent, which shall be paid in accordance with the following schedule: five hundred dollars (\$500) was paid by the Respondent contemporaneously with his execution of the CONSENT AGREEMENT, receipt of which is hereby acknowledged; the remaining two thousand five hundred dollars (\$2,500) shall be paid in five equal monthly installments on the first day of every month, commencing August 1, 1994, through December 1, 1994, at which time Respondent shall have paid the entire civil money penalty assessed herein. All payments shall be in the form of a check made payable to the Treasurer of the United States and shall be mailed by first class mail, postage prepaid, to the FDIC, attention: John J. Rubin, Regional Counsel, Marquis 1 Tower, Suite 1400, 245 Peachtree Center Avenue, N.E., Atlanta, Georgia 30303.

IT IS FURTHER ORDERED that, pursuant to section 18(k) of the Act, 12 U.S.C. § 1828(k), the Respondent shall not request or accept indemnification from Cobb American Bank, Marietta, Georgia

("Bank"), or any person acting in concert with or on behalf of the Bank, as to the civil money penalty assessed or paid by or for him, or any other cost, fee or obligation incurred by him as a result of this proceeding, and that the Bank shall not pay or agree to pay such civil money penalty to or for the Respondent or anyone acting for or on behalf of him, including but not limited to, legal and other fees or costs paid or payable by or for the Respondent.

Dated at Washington, D.C., this 24th day of August, 1994.

Pursuant to delegated authority.

Last Updated 6/6/2003

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