

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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| In the Matter of |) | |
| |) | |
| RICHARD G. ROBERTS, individually, |) | |
| and as an institution-affiliated party of |) | ORDER AMENDING |
| |) | ORDER TO PAY |
| NEW MILLENIUM BANK |) | |
| NEW BRUNSWICK, NEW JERSEY |) | FDIC-12-138k |
| |) | |
| (Insured State Nonmember Bank) |) | |
| _____ |) | |

The Federal Deposit Insurance Corporation (“FDIC”), on May 23, 2012, issued a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTIES, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY and NOTICE OF HEARING (“NOTICE OF ASSESSMENT”) against RICHARD G. ROBERTS (“Respondent”), assessing a civil money penalty against the Respondent pursuant to section 8(i)(2) of the Federal Deposit Insurance Act (“Act”), in the amount of \$15,000 for recklessly participating in or engaging in unsafe or unsound banking practices and/or breaching his fiduciary duty.

Respondent and Enforcement Counsel for the FDIC thereafter executed a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER AMENDING ORDER TO PAY (“CONSENT AGREEMENT”) dated June 15, 2012, whereby solely for the purpose of this proceeding and without admitting any of the allegations in the NOTICE OF ASSESSMENT, the Respondent agrees to withdraw his REQUEST FOR HEARING and to waive his right to a hearing on the NOTICE OF ASSESSMENT and consented to the issuance of a final ORDER TO PAY as amended by this ORDER AMENDING ORDER TO PAY CIVIL MONEY PENALTY.

The FDIC, therefore, accepted the CONSENT AGREEMENT and issued the following:

IT IS HEREBY ORDERED THAT, the ORDER TO PAY issued by the FDIC in the above-captioned matter on May 23, 2012, is hereby amended as follows:

- (a) The amount of the civil money penalty assessed against Respondent Richard G. Roberts is reduced to \$5,000; and
- (b) Respondent shall pay the full amount of the civil money penalty in the form of a check payable to the Treasury of the United States pursuant to section 308.118 of the FDIC's Rules of Practice and Procedure, 12 C.F.R. § 308.118, upon execution of the CONSENT AGREEMENT.
- (c) In the event Respondent's financial condition proves to have been materially different than the information contained in Respondent's Financial Report as of June 7, 2012 which Financial Report has been submitted to the FDIC, the amount of the civil money penalty assessed against Respondent shall be \$15,000, the amount assessed in the original Order to Pay.

Pursuant to delegated authority.

Dated this 7th day of September, 2012.

/s/
Serena L. Owens
Associate Director
Division of Risk Management Supervision