

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of	)	
	)	
Mark Wong, an institution-affiliated party of	)	
	)	ORDER OF PROHIBITION FROM
Bank of the West	)	FURTHER PARTICIPATION
San Francisco, California	)	
	)	FDIC-17-0247e
(Insured State Nonmember Bank)	)	
	)	
	)	
Respondent's NMLS UI# N/A	)	
	)	

Mark Wong (Respondent) was advised of the right to receive a NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION (Notice) detailing the violations of law, unsafe or unsound banking practices, and breaches of his fiduciary duty for which an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (Prohibition Order) may be issued under 12 U.S.C. § 1818(e).

Respondent was further advised of the right to a hearing on the Notice under 12 U.S.C. § 1818(e) and 12 C.F.R. Part 308, subparts A & B. Respondent waived certain rights under those provisions on September 18, 2020, and consented to the issuance of the Prohibition Order by entering into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (CONSENT AGREEMENT) with a representative of the Federal Deposit Insurance Corporation's (FDIC) Legal Division.

The FDIC determined and Respondent neither admits nor denies the following:

1. Respondent made fraudulent loans in the names of bank customers without their authorization or knowledge while serving as a Vice President and Business Banking Officer of

the Bank. He then transferred the loan funds to accounts he controlled for his personal benefit;

2. As described in paragraph 1, Respondent violated the law, engaged in unsafe or unsound banking practices, and breached his fiduciary duty as an institution-affiliated party of Bank of the West, San Francisco, California (Bank) within the meaning of 12 U.S.C. §1813(u);

3. Respondent's violations, practices, and breaches caused the Bank to suffer financial loss and Respondent received financial gain; and

4. Respondent's violations, practices, and breaches involved personal dishonesty and demonstrated Respondent's willful and/or continuing disregard for the safety or soundness of the Bank.

The FDIC accepts the CONSENT AGREEMENT and issues the following:

**ORDER OF PROHIBITION FROM FURTHER PARTICIPATION**

5. Mark Wong is prohibited from:

(a) participating in any manner in the conduct of the affairs of any financial institution or agency enumerated in 12 U.S.C. § 1818(e)(7)(A);

(b) soliciting, procuring, transferring, attempting to transfer, voting, or attempting to vote any proxy, consent or authorization with respect to any voting rights in any financial institution enumerated in 12 U.S.C. § 1818(e)(7)(A);

(c) violating any voting agreement previously approved by the appropriate Federal banking agency; and

(d) voting for a director or serving or acting as an institution-affiliated party.

6. The Prohibition Order is effective upon issuance and will remain effective and enforceable until the FDIC, and any "appropriate Federal financial institutions regulatory agency," defined at 12 U.S.C. § 1818(e)(7)(D), decide in writing to modify, terminate, suspend, or set aside the Order under 12 U.S.C. § 1818(e)(7)(B).

7. The Prohibition Order is enforceable under 12 U.S.C. § 1818(i), and any violation of the Prohibition Order may result in additional penalties under 12 U.S.C. § 1818(j).

8. The Prohibition Order does not waive any right, power, or authority of the United States; federal, state, or local agencies; or the FDIC as Receiver.

Issued under delegated authority.

Dated this 9<sup>th</sup> day of March, 2021.

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Patricia A. Colohan  
Associate Director  
Division of Risk Management Supervision