

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of)	ORDER OF PROHIBITION FROM FURTHER PARTICIPATION FDIC-21-0071e
Saleem Mirza, an institution-affiliated party of)	
Habib American Bank)	
New York, New York)	
(Insured State Nonmember Bank))	
Respondent's NMLS UI# NA)	
)	
)	

Saleem Mirza (Respondent) was advised of the right to receive a Notice of Intention to Prohibit from Further Participation (Notice) detailing Respondent's violations of law or regulations, unsafe or unsound banking practices, and breaches of fiduciary duties 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 December 8, 2021, 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 was an Assistant Vice President in the Trade Service Division of Habib American Bank, New York, New York (Bank), and from May 2017 through January 2021, he conspired to commit bank fraud and misappropriated funds from the Bank in violation

of 18 U.S.C § 1349 by approving fraudulent export letters of credit discount bills, causing the Bank to sustain a loss totaling approximately \$360,365.43, for which the Respondent has agreed to make full restitution to the Bank. Respondent has also agreed to forfeit \$111,465.06, representing his proceeds of the bank fraud.

2. As described in paragraph 1, Respondent violated laws or regulations, engaged or participated in unsafe or unsound practices in connection with the Bank, and breached Respondent's fiduciary duties owed to the Bank.

3. Respondent's violations, practices, and breaches caused the Bank to suffer financial loss, or other damage, and Respondent received financial gain or other benefit.

4. Respondent's violations, practices, and breaches involved personal dishonesty and demonstrated Respondent's 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. Saleem Mirza is prohibited from:
- a. participating in any manner in the conduct of the affairs of any financial institution or organization listed 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: September 1, 2022.

/s/

Patricia A. Colohan
Associate Director
Division of Risk Management Supervision