

UNITED STATES OF AMERICA
BEFORE THE
BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
WASHINGTON, D.C.

In the Matter of

MATTHEW CURTIS, a former institution-affiliated party of

REGIONS BANK, Birmingham, Alabama,
a state-member bank.

Docket No. 20-010-E-I

Order of Prohibition Issued Upon Consent
Pursuant to Sections 8(e) of the
Federal Deposit Insurance Act, as
amended

WHEREAS, the Board of Governors of the Federal Reserve System (the “Board of Governors”), pursuant to section 8(e) of the Federal Deposit Insurance Act, as amended (the “FDI Act”), 12 U.S.C. § 1818(e), issues this Order of Prohibition (this “Order”) upon the consent of Respondent Matthew Curtis (“Curtis”), a former employee and institution-affiliated party, as defined in sections 3(u) and 8(b)(3) of the FDI Act, 12 U.S.C. §§ 1813(u) and 1818(b)(3), of Regions Bank, a state member bank (the “Bank”);

WHEREAS, On October 11, 2019, the Hernando County Sheriff’s Office filed an Information against Curtis (*see Florida v. Curtis*, 2019-CF-001797-A-D (Fla. Cir. Ct. 5th Jud. Cir.) (the “Information”));

WHEREAS, the Information alleged that Curtis committed: (1) grand theft of \$100,000 or more in violation of Florida Statute 812.014(1) and 812.014(2)(a), and (2) fraudulent use of personal identification information in violation of Florida Statute 817.568(2)(a);

WHEREAS, the allegations in the Information were based upon the following facts, sworn to by the State Attorney for the Fifth Judicial Circuit, State of Florida, in and for Hernando County, State of Florida, or his duly designated Assistant State Attorney:

1. The Bank reported that, on December 13, 2018, and January 3, 2019, Curtis fraudulently accessed and withdrew funds from the account of Bank customers Robert and Bonnie Ripp in the amounts of \$98,005.10 and \$13,190.90, respectively;

2. The Bank's investigation into those withdrawals revealed that Curtis used \$98,005.10 to pay off a private mortgage held by Bank customers Barry and Dorothy Kirsner, and that the additional \$13,190.90 was transferred directly to the Kirsners' deposit account;

3. The Bank confirmed that Curtis altered loan documents to make it appear as though the Bank had approved the Kirsners' prior mortgage application, which the Bank had in fact denied, and that the funds used to pay off their private mortgage were proceeds thereof; and

4. The Kirsners appeared unaware of Curtis's actions and had no apparent ties to Curtis;

WHEREAS, on February 7, 2020, Curtis pleaded *nolo contendere* to, and was subsequently convicted of, both counts;

WHEREAS, Curtis's conduct constituted violations of law or regulation, unsafe or unsound practices, or breaches of fiduciary duty;

WHEREAS, pursuant to the terms of his plea agreement and the final disposition of his criminal proceedings, Curtis must enter into a Consent Order of Prohibition with the Board of Governors pursuant to section 8(e) of the FDI Act, 12 U.S.C. § 1818(e), and he must pay restitution to the Bank in the amount of \$111,196; and

WHEREAS, by affixing his signature hereunder, Curtis has consented to the issuance of this Order by the Board of Governors and has agreed to comply with each and every provision of this Order, and has waived any and all rights he might have pursuant to 12 U.S.C. § 1818, 12 C.F.R. Part 263, or otherwise: (a) to the issuance of a notice of intent to prohibit on any other

matter implied or set forth in this Order; (b) to a hearing for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (c) to obtain judicial review of this Order or any provision hereof; and (d) to challenge or contest in any manner the basis, issuance, terms, validity, effectiveness, or enforceability of this Order or any provision hereof.

NOW THEREFORE, before the filing of any notices, or taking of any testimony or adjudication of or finding on any issue of fact or law implied or set forth herein, and solely for the purpose of settling this matter without a formal proceeding being filed and without the necessity for protracted or extended litigation,

IT IS HEREBY ORDERED that:

1. Curtis, without the prior written approval of the Board of Governors and, where necessary pursuant to section 8(e)(7)(B) of the FDI Act, 12 U.S.C. § 1818(e)(7)(B), another Federal financial institutions regulatory agency, is hereby and henceforth prohibited from:
 - a. participating in any manner in the conduct of the affairs of any institution or agency specified in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A), including, but not limited to, any insured depository institution or any holding company of an insured depository institution, or any subsidiary of such holding company, or any foreign bank or company to which subsection (a) of 12 U.S.C. § 3106 applies and any subsidiary of such foreign bank or company;
 - 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 institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A);

- c. violating any voting agreement previously approved by any Federal banking agency; or
- d. voting for a director, or serving or acting as an institution-affiliated party, as defined in sections 3(u) and 8(b)(3) of the FDI Act, 12 U.S.C. §§ 1813(u) and 1818(b)(3), such as an officer, director or employee, in any institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A).

2. All communications regarding this Order shall be addressed to:

a. Richard M. Ashton, Esq.
Deputy General Counsel
Board of Governors of the Federal Reserve System
20th & C Streets, N.W.
Washington, DC 20551

b. Matthew Curtis

with a copy to:

James Martin Brown, Esq.
211 South Main Street
Brooksville, FL 34601

3. Any violation of this Order shall separately subject Curtis to appropriate civil or criminal penalties, or both, under sections 8(i) and (j) of the FDI Act, 12 U.S.C §§ 1818(i) and (j).

4. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, or any other Federal or state agency or department, from taking any other action affecting Curtis; provided, however, that the Board of Governors shall not take any further action against Curtis on any matters concerning or arising from the matters addressed by this Order based upon facts presently known by the Board of Governors. This release and discharge shall

not preclude or affect (i) any right of the Board of Governors to determine and ensure compliance with this Order, or (ii) any proceedings brought by the Board of Governors to enforce the terms of this Order.

5. Each provision of this Order shall remain fully effective and enforceable until expressly stayed, modified, terminated, or suspended in writing by the Board of Governors.

By order of the Board of Governors of the Federal Reserve System, effective this 26th day of May, 2020.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM

/s/ Matthew Curtis
Matthew Curtis

By: /s/ Ann E. Misback
Ann E. Misback
Secretary of the Board