

UNITED STATES OF AMERICA
BEFORE THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
WASHINGTON, DC

In the Matter of)	Docket No. 01-006-B-12
PEDRO CABRERA)	
A Former Employee and)	Order to Cease and Desist
Institution-Affiliated)	Issued Upon Consent
Party of)	Pursuant to the Federal Deposit
)	Insurance Act, as Amended
Banco Mercantil, C.A., S.A.C.A.,)	
New York Agency)	
New York, New York)	

WHEREAS, pursuant to sections 8(b) and (i)(3) of the Federal Deposit Insurance Act, as amended (the "FDI Act") (12 U.S.C. §§ 1818(b) and (i)(3)), the Board of Governors of the Federal Reserve System (the "Board of Governors") issues this Order to Cease and Desist (the "Order") against Pedro Cabrera ("Cabrera"), a former employee and institution-affiliated party, as defined in sections 3(u) and 8(b)(4) of the FDI Act (12 U.S.C. §§ 1813(u) and 1818(b)(4)), of Banco Mercantil, C.A., S.A.C.A., New York Agency, New York, New York ("Mercantil"), a branch of Banco Mercantil, C.A., S.A.C.A., Caracas, Venezuela, based on Cabrera's alleged violations of law and unsafe and unsound practices in connection with the structuring of deposits of cash and monetary instruments by private banking customers of Mercantil resulting in violations of the Currency and Foreign Transactions Reporting Act (31 U.S.C. § 5311 et seq.); and

WHEREAS, by affixing his signature hereunder, Cabrera has consented to the issuance of this Order by the Board of Governors and has consented to comply with each and every provision of this Order, and has waived any and all rights he might have, pursuant to section 8 of the FDI Act (12 U.S.C. § 1818) or 12 C.F.R. Part 263, or otherwise: (a) to the issuance of a notice of charges on any matter set forth in the 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, prior to the taking of any testimony or adjudication of or finding on any issue of fact or law implied or set forth herein, and without this Order constituting an admission of any allegation made or implied by the Board of Governors in connection herewith, and solely for the purpose of settlement of this proceeding without protracted or extended proceedings:

IT IS HEREBY ORDERED, pursuant to sections 8(b) and (i)(3) of the FDI Act that:

1. At all times that Cabrera is an institution-affiliated party 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 U.S. branch or agency of a foreign bank. Cabrera shall take such actions as are necessary and consistent with his responsibilities as an institution-affiliated party to ensure that he will (a) comply with all policies and procedures of his employer as they pertain to his responsibilities; (b) engage

only in activities that are consistent with his fiduciary duties and with safe and sound banking practices; and (c) comply fully with all applicable laws and regulations pertinent to his responsibilities as an institution-affiliated party.

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

(a) Nancy Bercoyici
Senior Vice President
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045

and a copy to:

Jonathan I. Polk, Esq.
Legal Department
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045

(b) Pedro Cabrera
c/o Ernest Atalay, Esq.
Jesus J. Peña Esq. & Associates
88-19 Roosevelt Avenue
Jackson Heights, NY 11372

3. Any violations of this Order shall separately subject Cabrera to appropriate civil penalties under section 8(i) of the FDI Act (12 U.S.C. § 1818(i)).

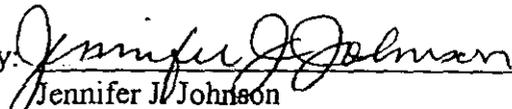
4. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, or any federal or state agency or department from taking any other action affecting Cabrera, provided, however, that the Board of Governors shall not take any further action against Cabrera based upon information presently known by the Board of Governors relating to the matters set forth herein.

5. This Order, and each and every provision hereof, is and shall remain fully effective and enforceable until stayed, modified, terminated, or suspended in writing by the Board of Governors.

By order of the Board of Governors effective this 30th day of April 200:

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM


Pedro Cabrera

By: 
Jennifer J. Johnson
Secretary of the Board