

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

_____)	
In the Matter of)	
)	
HARVEY PLANTE)	Docket No. 99-017-B-13
)	
A Former Officer and)	
Institution-Affiliated)	Cease and Desist
Party of)	Order Issued Upon Consent
)	
Bankers Trust Company)	
New York, New York)	
)	
_____)	

WHEREAS, pursuant to section 8(b)(1) of the Federal Deposit Insurance Act, as amended, (12 U.S.C. § 1818(b)(1)) (the "FDI Act"), the Board of Governors of the Federal Reserve System (the "Board of Governors") issues this Cease and Desist Order against Harvey Plante, a former Vice President and institution-affiliated party, as defined in sections 3(u) and 8(b)(3) and (4) of the FDI Act (12 U.S.C. §§ 1813(u) and 1818(b)(3) and (4)), of Bankers Trust Company, New York, New York ("Bankers Trust"), which, at all relevant times was a state member bank, in connection with Plante's alleged participation in unsafe and unsound banking practices between 1994 and 1996 which led Bankers Trust to improperly account for and dispose of abandoned customer funds that were due to escheat to state authorities;

WHEREAS, by affixing his signature hereunder, Plante has consented to the issuance of this Order by the Board of Governors and consented to comply with each and every provision of this Order, and 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 a hearing for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (b) to obtain judicial review of this Order or any provision hereof; and (c) to challenge or contest in any manner, the basis, issuance, 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 herein, and without this Order constituting an admission of any allegation made or implied by the Board of Governors in connection with this proceeding, and solely for the purpose of settlement of this proceeding without protracted or extended hearings or testimony:

IT IS HEREBY ORDERED, pursuant to section 8(b)(1) of the FDI Act, that:

1. (a) Plante shall provide the Federal Reserve Bank of New York (the "Reserve Bank") with 10 days written notice prior to his acceptance of any position that would cause him to become 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, any financial, bank, or savings association holding company, or any U.S. branch or agency of a foreign bank.

(b) Prior to accepting any position as an institution-affiliated party of any institution or agency specified in section 8(e)(7)(A) of the FDI Act Plante shall provide his supervisor or a management official in his reporting line with notice of the existence of this Order and shall provide written certification of his compliance with the requirements of this subparagraph and with the notice required by paragraph 1(a) hereof.

2. Notwithstanding the provisions of paragraph 1 hereof, Plante may not accept any offer of employment or appointment as an institution-affiliated party or, in any manner to serve as an institution-affiliated party of any institution or agency specified in section 8(e)(7)(A) of the FDI Act, where Plante would perform directly or indirectly through his supervision of other institution-affiliated parties or otherwise:

- (a) the management and/or maintenance of custodial or suspense accounts related to the provision of custodial services or in the provision of services in the capacity of a paying agent in a corporate trust business, (*i.e.* as a journal manager); or
- (b) the maintenance of accounts holding abandoned property funds or the disposition and/or the reporting of funds due to escheat to state authorities, (*i.e.* as an escheatment officer).

3. Should Plante desire to become an institution-affiliated party of any institution or agency specified in section 8(e)(7)(A) of the FDI Act including, but not limited to, any

insured depository institution, bank, or thrift holding company, or U.S. agency or branch of a foreign bank, Plante shall consistent with his responsibilities, take all actions as are necessary to ensure that he will: (a) comply with all policies and procedures of his employer as they pertain to his duties and (b) comply fully with all applicable laws and regulations.

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

(a) Mr. Brian Peters
Senior Vice President
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045

with a copy to:

Martin C. Grant, Esq.
Legal Department
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045

(b) Harvey Plante
c/o Thomas McC. Souther, Esq.
Sidley Austin Brown & Wood LLP
One World Trade Center
New York, NY 10048-0557

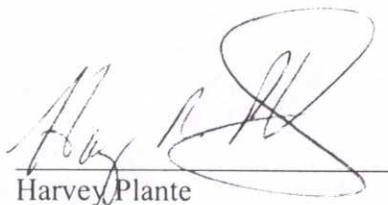
5. The requirements of paragraphs 1 and 2 hereof shall expire June 15, 2003.

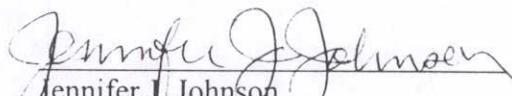
The provisions of paragraphs 3 through 6 shall remain effective and enforceable until stayed, modified, terminated, or suspended by the Board of Governors.

6. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, the Reserve Bank, or any federal or state agency or department from taking any other action affecting Plante; provided, however, that the Board of Governors shall not take further action against Plante, based on the Notice of Intent to Prohibit Harvey Plante issued pursuant to section 8(e) of the FDI Act (12 U.S.C. § 1818(e)), Docket No 99-017-E-13.

By order of the Board of Governors of the Federal Reserve System,
effective this 21st day of June, 2001.

BOARD OF GOVERNORS OF
THE FEDERAL RESERVE SYSTEM


Harvey Plante

By: 
Jennifer J. Johnson
Secretary of the Board