

FEDERAL RESERVE press release



For immediate release

January 6, 1997

The Federal Reserve Board today announced the issuance of a combined Order to Cease and Desist and Order of Assessment of a Civil Money Penalty against Roberto A.F. Roberts, a former officer and institution-affiliated party of IBJ Schroder International Bank, Miami, Florida.

Mr. Roberts, without admitting to any allegations, consented to the issuance of the Order in connection with his alleged unsafe and unsound practices and breaches of fiduciary duties regarding his management of certain discretionary cash management accounts.

Mr. Roberts paid a civil money penalty of \$15,000.

A copy of the Order is attached.

Attachment

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

In the Matter of)	Docket Nos. 96-026-B-I
)	96-026-CMP-I
Roberto A.F. Roberts)	
Miami, Florida)	Order to Cease and Desist
)	and Order of Assessment of a
A Former Institution-)	Civil Money Penalty Issued
Affiliated Party of)	Upon Consent Pursuant to the
)	Federal Deposit Insurance Act,
IBJ Schroder)	as Amended
International Bank)	
Miami, Florida)	
)	
)	

WHEREAS, pursuant to sections 8(b) and 8(i) of the Federal Deposit Insurance Act, as amended (the "FDI Act") (12 U.S.C. 1818(b) and 1818(i)), the Board of Governors of the Federal Reserve System (the "Board of Governors") issues this combined consent Order to Cease and Desist and Order of Assessment of a Civil Money Penalty (the "Order") against Roberto A. F. Roberts ("Roberts"), a former institution-affiliated party ("IAP"), 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 IBJ Schroder International Bank, Miami, Florida ("IBJ Schroder"), an Edge Corporation organized under section 25(a) of the Federal Reserve Act (12 U.S.C. 611 et seq.) and subsidiary of the IBJ Schroder Bank and Trust Company, New York, New York (the "Bank"), a state-chartered bank that is a member of the Federal Reserve System, in connection with alleged unsafe and unsound practices

and breaches of fiduciary duties regarding Roberts's management of certain discretionary cash management accounts.

WHEREAS, by affixing his signature hereunder, Roberts 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 otherwise pursuant to 12 U.S.C. 1818 or 12 C.F.R. Part 263, or otherwise (a) to the issuance of a notice of charges and of hearing and of a notice of assessment of a civil money penalty; (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, validity, effectiveness, collectibility 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 herewith, and solely for the purpose of settlement of this matter without protracted or extended hearings or testimony:

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

1. Upon becoming involved in the management of investment accounts, discretionary or otherwise, as an IAP, as defined in sections 3(u) and 8(b)(3) of the FDI Act, 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 bank or savings association holding company, or any Edge corporation organized under the Federal Reserve Act, Roberts shall take such actions as are necessary, consistent with his responsibilities, to ensure that he will (a) comply with all policies and procedures of his employer as they pertain to his management of such accounts, (b) use his best efforts to manage his accounts in a manner that is consistent with his fiduciary duties and with safe and sound banking or business practices, including, but not limited to, obtaining the best price execution when effecting transactions for his managed accounts, and (c) comply with all applicable laws and regulations pertinent to the management of such accounts.

2. (a) Roberts is assessed and shall forfeit and pay as hereinafter provided a civil money penalty in the sum of \$15,000 for alleged breaches of his fiduciary duty in connection with his management of certain discretionary cash management accounts.

(b) No portion of Roberts's civil money penalty shall be, directly or indirectly, paid, advanced, reimbursed or otherwise funded by IBJ Schroder or the Bank, or any affiliate of the Bank.

3. The penalty assessed by this Order shall be remitted in full, at the time of Roberts's execution of this Order, payable to the "Board of Governors of the Federal Reserve System, and forwarded, with Roberts's executed copy of this Order, to William W. Wiles, Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, who shall make remittance of the same to the Treasury of the United States as required by statute.

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

(a) William B. Estes, III
Vice President
Federal Reserve Bank of Atlanta
104 Marietta St., NW
Atlanta, Georgia 30303-2713

(b) Roberto A.F. Roberts
1800 Espanola Drive
Miami, Florida 33133

With Copy to:

Richard Alexander, Esq.
Arnold and Porter
555 Twelfth Street
Washington, D.C. 20004

5. Each provision of this Order 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, or any federal or state agency or department from taking any other action affecting Roberts; provided, however, the Board of Governors shall not take any further action against Roberts based upon any information presently known to the Board of Governors.

By order of the Board of Governors of the Federal Reserve System, effective this 2nd day of January 1997. ^{740.0.0.}

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM



