

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

| | |
|------------------------|--------------------------|
| _____ |) |
| In the Matter of |) |
| |) |
| Bruce Jeffrey Kingdon |) Docket No. 99-017-E-11 |
| |) |
| A Former Employee and |) |
| Institution-Affiliated |) Order of |
| Party of |) Prohibition |
| |) |
| Bankers Trust Company |) |
| New York, New York |) |
| |) |
| A State Member Bank |) |
| _____ |) |

WHEREAS, pursuant to Section 8(e) of the Federal Deposit Insurance Act, as amended (12 U.S.C. § 1818(e) (the "FDI Act"), the Board of Governors of the Federal Reserve System (the "Board of Governors") issues this Order of Prohibition (the "Order") upon the consent of Bruce Jeffrey Kingdon, ("Kingdon"), a former partner, operating committee member, managing director, employee, and institution-affiliated party, as defined in Section 3(u) of the FDI Act (12 U.S.C. § 1813(u)), of Bankers Trust Company, New York, New York ("BT"), a State-chartered bank and a member of the Federal Reserve System, relating to Kingdon's violations of law, unsafe or unsound banking practices, and breaches of his fiduciary duties to BT and its customers in connection with his making false and inaccurate entries in the books and records of BT in violation of 18 U.S.C. § 1005 for the purpose, and with the effect, of deceiving BT's

senior management and internal and external auditors, and Federal Reserve and New York State Banking Department examiners concerning the financial condition of BT; and

WHEREAS, by affixing his signature hereunder, Kingdon 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 12 U.S.C. § 1818 or 12 C.F.R. Part 263, or otherwise (a) to the issuance of a Notice of Intent to Prohibit and of Hearing; (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 matter 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 by Kingdon 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, and Kingdon hereby agrees that, pursuant to Section 8(e) of the FDI Act:

1. Kingdon, without 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 institution regulatory agency, shall not:

(a) Participate 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, BT, its successors or assigns, or any other insured depository institution or holding company thereof;

(b) solicit, procure, transfer, attempt to transfer, vote or attempt 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;

(c) violate any voting agreement previously approved by any Federal banking agency; or

(d) vote for a director, or serve or act as an institution-affiliated party, as defined in Section 3(u) of the FDI Act, such as an officer, director, or employee in any institution described in Section 8(e)(7)(A) of the FDI Act.

2. 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

and a copy to:

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

(b) Bruce Jeffrey Kingdon
c/o Stanley Arkin, Esq.
Jeffrey M. Kaplan, Esq.
Arkin Kaplan & Cohen LLP
590 Madison Avenue
New York, NY 10022

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

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 Kingdon, provided, however, that the Board of Governors shall not take any further action against Kingdon based upon information presently known by the Board of Governors relating to the 18 U.S.C. § 1005 matter addressed by this Order.

5. Each provision of this Order shall remain effective and enforceable until 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 6th day of ~~October~~^{December} 2000.


Bruce Jeffrey Kingdon

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM

By: 
Jennifer J. Johnson
Secretary of the Board