

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

In the Matter of)	
)	
KENNETH GOGLIA)	Docket No. 99-017-B-12
)	
a Former Officer and Institution-Affiliated)	Cease and Desist Order
Party of)	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 Kenneth Goglia ("Goglia"), a former Managing Director 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 Goglia'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; and

WHEREAS, by affixing his signature hereunder, solely for the purpose of this settlement of this proceeding without protracted or extended hearings or testimony, Goglia 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 with Goglia denying any allegation of wrongdoing made or implied by the Board of Governors in connection with this proceeding:

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

1. Goglia 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. § 1813(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.

2. Notwithstanding the provisions of paragraph 1 hereof, 5 days prior to accepting an offer of employment or appointment as an institution-affiliated party or, in any manner, serving as an institution-affiliated party, of an institution or agency specified in section 8(e)(7)(A) of the FDI Act, where if he accepted such offer or appointment Goglia would perform functions:

- (a) involving principal responsibility for the recognition of income or expense or regulatory reporting with respect to either a paying agent service in a corporate trust business or custodial or disbursement services in an employee benefit trust business (e.g., Chief Financial Officer, principal expense controller, or principal revenue controller); or
- (b) involving any responsibility with respect to the accounting for or the escheatment of abandoned property,

Goglia shall obtain the written approval of the Reserve Bank, such approval not to be unreasonably withheld, and withheld only for good cause with consideration of Goglia's proposed position. In addition, prior to accepting any offer of employment or appointment as an institution-affiliated party at such an institution or agency, Goglia shall notify such institution or agency of the approval requirements contained in this Order.

3. 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) Kenneth Goglia
c/o David Meister, Esq.
Clifford Chance Rogers & Wells LLP
200 Park Avenue
New York, NY 10166-0153

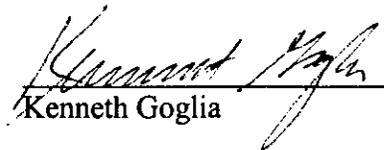
4. Each provision of this Order shall remain effective and enforceable until stayed, modified, terminated, or suspended by the Board of Governors.

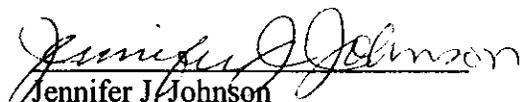
5. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, the Reserve Bank, or any federal or state agency or department from taking any other action affecting Goglia; provided, however, that the Board of Governors shall not take further action against Goglia, based on the allegations contained in the Notice of Intent to Prohibit Kenneth Goglia issued pursuant to section 8(e) of the FDI Act (12 U.S.C. § 1818(e)), Docket No. 99-017-E-I2.

By order of the Board of Governors of the Federal Reserve System, effective

this 19th day of July, 2001.

BOARD OF GOVERNORS OF
THE FEDERAL RESERVE SYSTEM


Kenneth Goglia

By: 
Jennifer J. Johnson
Secretary of the Board