

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of)	
)	
PEDRO AYALA-GARCIA, in the)	ORDER GRANTING PERMISSION
Application for Consent to)	TO FILE APPLICATION AND
Participate in the Conduct of)	APPROVING APPLICATION FOR
the Affairs of Any Insured)	CONSENT TO PARTICIPATE IN
Depository Institution)	THE AFFAIRS OF ANY INSURED
)	DEPOSITORY INSTITUTION
)	
)	FDIC-08-232L
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The Federal Deposit Insurance Corporation ("FDIC"), having fully considered all the facts and information relating to the application filed pursuant to section 19 of the Federal Deposit Insurance Act ("section 19"), 12 U.S.C. § 1829, by PEDRO AYALA-GARCIA ("Applicant"), individually, for a waiver of the FDIC policy requirement that an insured depository institution file a section 19 application on his behalf, and for consent to participate directly or indirectly in the affairs of any insured depository institution, has determined that Applicant's request for a waiver should be granted and that Applicant's section 19 application to participate in the affairs of any insured depository institution, should be approved, based upon the following:

- (1) On December 11, 1999 the Applicant, eighteen years old, was apprehended for shoplifting from a novelty store at Disneyland, Anaheim, California, and charged with Petty Theft under Part 1, Title 13 of the California Penal Code, in the California Superior Court, Orange County,

California. The Applicant pled guilty to the charge on March 8, 2000 and paid a fine of \$667.00.

- (2) The Applicant states that after his conviction he completed vocational training and received a certificate as a medical assistant and currently is continuing his education. The Applicant has worked for a credit union and insured depository institutions.
- (3) The Applicant states that in August 2007 a job offer as a loan officer from the subsidiary of an insured depository institution was put on hold when the institution was advised of the Applicant's prior conviction.
- (4) The Applicant requested that the FDIC waive its policy requiring that a sponsoring insured depository institution submit a section 19 application on his behalf to enable the Applicant to pursue employment with any insured depository institution.
- (5) The FDIC notes that approximately nine years have elapsed since the offense and the Applicant has had no further program entries or convictions subject to section 19.
- (6) The FDIC has determined that the Applicant has demonstrated satisfactory evidence of rehabilitation.
- (7) The FDIC believes that the Applicant's participation, directly or indirectly, in the conduct of the affairs of any insured depository institution, in any position,

does not appear to constitute a threat to the safety and soundness of any insured depository institution, or to the interests of depositors, and that such participation would not threaten to impair public confidence in any insured depository institution.

- (8) The FDIC has determined that the FDIC policy requirement that an insured depository institution file a section 19 application on the Applicant's behalf should be waived.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that PEDRO AYALA-GARCIA, as an individual, shall be permitted to file the section 19 application submitted with respect to the conviction with respect to any insured depository institution, without requiring that the insured depository institution file such an application on Applicant's behalf; and

IT IS FURTHER ORDERED, that the Applicant's section 19 application for consent to participate directly or indirectly in the conduct of the affairs of any insured depository institution is hereby APPROVED, provided that prior to serving in any position, the Applicant disclose to any such insured depository institution the FDIC's approval of Applicant's section 19 application by providing the insured depository institution with a copy of this ORDER GRANTING PERMISSION TO FILE APPLICATION AND APPROVING APPLICATION FOR CONSENT TO PARTICIPATE IN THE AFFAIRS OF ANY INSURED DEPOSITORY INSTITUTION; and

IT IS FURTHER ORDERED, that the Applicant be covered by a fidelity bond to the same extent as others in similar positions at the subject insured depository institution.

IT IS FURTHER ORDERED, that the permission and approval granted by this ORDER shall apply only to the offense described in paragraph (1), above.

Dated at Washington, D.C., this 27th day of February, 2009.

Serena L. Owens
Associate Director
Division of Supervision and
Consumer Protection