

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of )	ORDER TO PAY
)	
)	CIVIL MONEY PENALTY
BERKSHIRE BANK )	
WYOMISSING, PENNSYLVANIA )	
)	FDIC-10-879k
(INSURED STATE NONMEMBER BANK )	
_____ )	

BERKSHIRE BANK, WYOMISSING, PENNSYLVANIA (“Bank”) has been advised of the right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING (“NOTICE”) issued by the Federal Deposit Insurance Corporation (“FDIC”) detailing the violations for which a civil money penalty may be assessed against Bank pursuant to section 8(i)(2) of the Federal Deposit Insurance Act (“Act”), 12 U.S.C. § 1818(i)(2), section 305 of the Home Mortgage Disclosure Act (“HMDA”), 12 U.S.C. § 2804, and section 203.6 of Regulation C of the Board of Governors of the Federal Reserve System, 12 C.F.R. § 203.6, and has been further advised of the right to a hearing on the alleged charges under section 8(i) of the Act, 12 U.S.C. § 1818(i), and the FDIC's Rules of Practice and Procedure, 12 C.F.R. Part 308.

Having waived those rights, the Bank entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY CIVIL MONEY PENALTY (“CONSENT AGREEMENT”) with a representative of the Legal Division of the FDIC, whereby the Bank, solely for the purpose of this proceeding and without admitting or denying any violations of law and/or regulations for which civil money penalties may be assessed, consented to the issuance of an ORDER TO PAY CIVIL MONEY PENALTY by the FDIC and agreed to pay a civil money

penalty in the amount of seven thousand dollars (\$7,000) to the Treasury of the United States.

After taking into account said CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of the Bank, the gravity of the violations by the Bank, the history of previous violations by the Bank, and such other matters as justice may require, the FDIC considered the matter and determined it had reason to believe that the Bank engaged or participated in violations of law and/or regulations for which a civil money penalty of seven thousand dollars (\$7,000) is appropriate to be assessed against the Bank pursuant to section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2).

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Berkshire Bank, Wyomissing, Pennsylvania be, and hereby is, assessed a civil money penalty of seven thousand dollars (\$7,000) pursuant to section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2), the receipt of which is hereby acknowledged.

Issued pursuant to delegated authority.

Dated this 3<sup>rd</sup> day of January, 2011.

By:

/s/  
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Scott D. Strockoz  
Deputy Regional Director  
New York Region  
Division of Supervision and Consumer Protection