



**FDIC**

Federal Deposit Insurance Corporation  
350 Fifth Avenue, Suite 1200, New York, NY 10118

Division of Risk Management Supervision

November 1, 2019

Philip J. Kenny  
[REDACTED]

Jersey City, New Jersey 07304

**Subject: Prohibition under Section 19 of the Federal Deposit Insurance Act**

Dear Mr. Kenny:

The Federal Deposit Insurance Corporation (FDIC) has become aware that on October 6, 2009 you pled guilty to a felony in violation of 18 U.S.C. § 1951(a), which is a covered offense under Section 19 of the Federal Deposit Insurance Act (FDI Act), 12 U.S.C. § 1829.

Section 19 prohibits, except with the prior written consent of the FDIC, any person who has been convicted of any criminal offense involving dishonesty, breach of trust, or money laundering, or who has entered into a pretrial diversion or similar program in connection with a prosecution for such an offense, from becoming or continuing as an institution-affiliated party with respect to any insured depository institution; owning or controlling, directly or indirectly, any insured depository institution; or otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution. Because Section 19 is effective by operation of law, you are already subject to the law's restrictions, including the prohibition on participating in the affairs of any insured depository institution.

Your attention is directed to Section 19(b) of the FDI Act, 12 U.S.C. § 1829(b), which imposes criminal penalties of up to five years imprisonment and a fine of up to \$1,000,000 for each day such prohibition is violated, upon any person who knowingly violates the restrictions of Section 19. The FDIC has also adopted a Statement of Policy for Section 19, which provides additional background and information.

If you have reason to believe that your conviction is not covered by Section 19 of the FDI Act, please provide a written response to this office within 30 days of your receipt of this letter by certified mail. After that time period, this letter will be posted and become publicly available on the FDIC website. Should you have a question regarding this matter, please contact [REDACTED].

Sincerely,

[REDACTED]  
Gregory P. Bottone  
Acting Deputy Regional Director

Cc: Marlene Caride, Commissioner, New Jersey Department of Banking and Insurance