FEDERAL DEPOSIT INSURANCE CORPORATION
WASHINGTON, D.C.

In the Matter of BANK OF LOUISIANA NEW ORLEANS, LOUISIANA (INSURED STATE NONMEMBER BANK)	FDIC- 20-0086b ALJ McNeil

ORDER REGARDING ENFORCEMENT COUNSEL'S MOTION FOR SUMMARY DISPOSITION, RECOMMENDED FINDINGS OF FACT, RECOMMENDED CONCLUSIONS OF LAW, RECOMMENDED DECISION, AND PROPOSED ORDER

This matter came before this administrative tribunal on consideration of the FDIC's Motion for and Memorandum in support of Summary Disposition and/or for Partial Summary Disposition and Request to File Motion and Certain Exhibits under Seal ("Motion for Summary Disposition").

Accompanying Enforcement Counsel's Motion was a certificate establishing that the Motion was served upon Respondent Bank by electronic service, effective March 23, 2021. Pursuant to the FDIC's Uniform Rules of Practice and Procedure, Respondent had the opportunity to file its response to the Motion by no later than April 13, 2021.[1] To date, Respondent has filed no response to the Motion.

The FDIC's Uniform Rules provide that the failure of a party to oppose a written motion is deemed a consent by that party to the entry of an order substantially in the form of the order accompanying the motion.[2] The Rules further provide that if the administrative law judge determines that summary disposition is warranted, the administrative law judge shall submit a recommended decision to that effect to the Board of Directors.[3]

[1] 12 C.F.R. § 308.29(b)(1) (allowing 20 days for response); 12 C.F.R. § 308.12(b)(1)(iii) (if service is made by electronic media transmission, add one calendar day to the prescribed period).
[2] 12 C.F.R. § 308.23(d)(2).
[3] 12 C.F.R. § 308.29(d).

Upon these factual and legal premises and after determining that summary disposition is warranted, the following recommended decision and order are entered:

After review and consideration of the foregoing findings of fact and conclusions of law, and upon the following recommendation, NOW THEREFORE,

IT IS ORDERED, ADJUDGED, and DECREED, that the FDIC's Motion for Summary Disposition is in all things GRANTED in full and it is recommended that the proposed Order to Cease and Desist submitted by the FDIC[4] in this matter be issued by the FDIC Board of Directors.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED, that FDIC Exhibits 1, 2, 18, 54, 55, 75, 76, and 77, as well as the unredacted Motion for Summary Disposition are filed under seal.

SO ORDERED.

Dated: April 22, 2021

_____

Christopher B. McNeil
Administrative Law Judge
Office of Financial Institution Adjudication

[4] See Notice of Charges and of Hearing dated October 6, 2020; and Exhibit A, [Proposed] Order to Cease and Desist appended to that Notice, the contents of which are incorporated by this reference as if rewritten in full here.