

**FEDERAL DEPOSIT INSURANCE CORPORATION  
WASHINGTON, D.C.**

In the Matter of:

**ROBERT S. CATANZARO,  
DANIELLE M. DESROSIERS, and  
JOHN C. PONTE,**  
as institution-affiliated parties of

Independence Bank  
East Greenwich, Rhode Island

(Insured State Nonmember Bank)

Docket Nos.:

FDIC-22-0112e, FDIC-22-0113k,  
FDIC-22-0107e, FDIC-22-0108k,  
FDIC-22-0143b, FDIC-22-0109e,  
FDIC-22-0110k

**ORDER NO. 16: DENYING RESPONDENT PONTE’S MOTION TO STAY  
ADMINISTRATIVE ENFORCEMENT PROCEEDING**

On April 25, 2023, John Ponte (“Respondent Ponte”) moved to stay the above-captioned administrative enforcement proceeding against him based on a pending matter in the United States District Court for the District of Rhode Island.<sup>1</sup> On May 5, 2023, Enforcement Counsel for the Federal Deposit Insurance Corporation (“Enforcement Counsel”) opposed Respondent Ponte’s motion on multiple grounds, including that the Uniform Rules of Practice and Procedure that govern this action mandate that “these proceedings continue notwithstanding a collateral attack” in any other forum.<sup>2</sup> The undersigned agrees with Enforcement Counsel, and Respondent Ponte’s motion is hereby DENIED.<sup>3</sup>

**SO ORDERED.**

Issued: May 8, 2023

  
Jennifer Whang, Administrative Law Judge  
Office of Financial Institution Adjudication

<sup>1</sup> See *Ponte v. FDIC, et al.*, Case No. 1:23-cv-00165-MSM-LDA.

<sup>2</sup> FDIC’s Opposition to Respondent John C. Ponte’s Motion to Stay Administrative Enforcement Proceedings at 1; see 12 CFR § 308.17 (providing that if a “collateral attack is brought in any court concerning all or any part of an adjudicatory proceeding, the challenged adjudicatory proceeding shall continue without regard to the pendency of that court proceeding”).

<sup>3</sup> Accordingly, and as previously noted, the deadlines set forth in this Tribunal’s April 25, 2023 “Order No. 15: Setting the Procedural Schedule,” apply to Respondent Ponte as well as the other respondents in this action.

## CERTIFICATE OF SERVICE

On May 8, 2023, I served a copy of the foregoing **Order** upon the following individuals via email:

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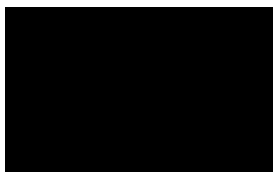
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