

UNITED STATES OF AMERICA
BEFORE THE
BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
WASHINGTON, D.C.

In the Matter of

RAUL CAVAZOS,

A former institution-affiliated party of TEXAS
COMMUNITY BANK, Laredo, Texas,
a state-member bank.

Docket No. 21-014-B-I
21-014-E-I

Order of Prohibition Issued Upon
Consent Pursuant to Sections 8(b)
and 8(e) of the Federal Deposit
Insurance Act, as Amended

WHEREAS, the Board of Governors of the Federal Reserve System (the “Board of Governors”), pursuant to sections 8(b)(1) and 8(e) of the Federal Deposit Insurance Act, as amended (the “FDI Act”), 12 U.S.C. §§ 1818(b)(1) and 1818(e), issues this Order of Prohibition (this “Order”) upon the consent of Respondent Raul Cavazos (“Cavazos”), a former institution-affiliated party, as defined in sections 3(u) and 8(b)(3) of the FDI Act, 12 U.S.C. §§ 1813(u) and 1818(b)(3), of Texas Community Bank (the “Bank”), a state-member bank;

WHEREAS, Cavazos was employed at the Bank’s branch in Brownsville, Texas, from November 17, 2008, until his termination on September 30, 2020;

WHEREAS, on September 30, 2020, the Bank discovered that, while employed as head teller, Adriana Montemayor (“Montemayor”) had misappropriated bank funds for her personal benefit from the Bank’s vault and working cash teller drawer over the course of the prior two to three years;

WHEREAS, in furtherance of this misconduct, Cavazos, while employed as a teller, transferred cash from his working teller drawer to Montemayor from time to time for her personal benefit;

WHEREAS, Cavazos also caused Montemayor to transfer cash from her working teller drawer to him from time to time for his personal benefit;

WHEREAS, Cavazos' conduct contributed to the Bank's financial loss in the amount of \$74,000 stemming from Montemayor's misappropriation, and posed legal and reputational risks to the Bank;

WHEREAS, Montemayor has repaid the Bank in the full amount of the loss it incurred as a result of her misappropriation;

WHEREAS, Cavazos' conduct constituted violations of law or regulation, unsafe or unsound practices, and breaches of fiduciary duty; and

WHEREAS, by affixing his signature hereunder, Cavazos has consented to the issuance of this Order by the Board of Governors and has agreed to comply with each and every provision of this Order, and has waived any and all rights he might have pursuant to 12 U.S.C. § 1818, 12 C.F.R. Part 263, or otherwise: (a) to the issuance of a notice of intent to prohibit on any other matter implied or set forth in this Order; (b) to a hearing for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (c) to obtain judicial review of this Order or any provision hereof; and (d) to challenge or contest in any manner the basis, issuance, terms, validity, effectiveness, or enforceability of this Order or any provision hereof.

NOW THEREFORE, before the filing of any notices, or the taking of any testimony or adjudication of or finding on any issue of fact or law herein, and without Cavazos' admitting or denying any allegation made or implied by the Board of Governors in connection herewith, and solely for the purpose of settling this matter without a formal proceeding being filed and without the necessity for protracted litigation or extended litigation,

IT IS HEREBY ORDERED that:

1. Cavazos, without the prior written approval of the Board of Governors and, where necessary pursuant to section 8(e)(7)(B) of the FDI Act, 12 U.S.C. § 1818(e)(7)(B), another Federal financial institutions regulatory agency, is hereby and henceforth prohibited from:

- a. participating in any manner in the conduct of the affairs of any institution or agency specified in Section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A), including, but not limited to, any insured depository institution or any holding company of an insured depository institution, or any subsidiary of such holding company, or any foreign bank or company to which subsection (a) of 12 U.S.C. § 3106 applies and any subsidiary of such foreign bank or company;
- b. soliciting, procuring, transferring, attempting to transfer, voting or attempting to vote any proxy, consent, or authorization with respect to any voting rights in any institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A);
- c. violating any voting agreement previously approved by any Federal banking agency; or
- d. voting for a director, or serving or acting as an institution-affiliated party, as defined in sections 3(u) and 8(b)(3) of the FDI Act, 12 U.S.C. §§ 1813(u) and 1818(b)(3), such as an officer, director or employee, in any institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A).

2. Cavazos shall fully cooperate with and provide assistance to the Board of Governors, including but not limited to the provision of information, testimony, documents,

records, and other tangible evidence, in connection with any pending or prospective enforcement action against other individuals who are or were institution-affiliated parties of the Bank.

3. All communications regarding this Order shall be addressed to:

- a. Richard M. Ashton, Esq.
Deputy General Counsel
David Williams, Esq.
Associate General Counsel
Board of Governors of the Federal Reserve System
20th & C Streets, N.W.
Washington, DC 20551
- b. Raul Cavazos

4. Any violation of this Order shall separately subject Cavazos to appropriate civil or criminal penalties, or both, under sections 8(i) and (j) of the FDI Act, 12 U.S.C. §§ 1818(i) and (j).

5. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, or any other Federal or state agency or department, from taking any other action affecting Cavazos; provided, however, that the Board of Governors shall not take any further action against Cavazos on any matters concerning or arising from the matters addressed by this Order based upon facts presently known by the Board of Governors. This release and discharge shall not preclude or affect (i) any right of the Board of Governors to determine and ensure compliance with this Order, or (ii) any proceedings brought by the Board of Governors to enforce the terms of this Order.

6. Each provision of this Order shall remain fully effective and enforceable until expressly stayed, modified, terminated, or suspended in writing by the Board of Governors.

By order of the Board of Governors of the Federal Reserve System, effective this 22nd day of April, 2021.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM

/s/ Raul Cavazos
Raul Cavazos

By: /s/ Ann Misback
Ann E. Misback
Secretary of the Board