

administrative litigation. Accordingly, Mr. Reiver consents to the issuance by NCUAB of an Order of Prohibition and to Cease and Desist with Restitution ("Order") in the amount of \$77,166.45 paid to Melrose Credit Union no later than ten (10) business days from the effective date of the Order.

2. Jurisdiction. Pursuant to its authority under Section 206 of the Act, 12 U.S.C. § 1786, the NCUAB is the appropriate Federal agency to maintain an administrative action against an "institution-affiliated party." Mr. Reiver is an "institution-affiliated party" within the meaning of Section 206(e) of the Act, 12 U.S.C. § 1786(e). Accordingly, Mr. Reiver admits the jurisdiction of the NCUAB over him and over the subject matter of this action.

3. Finality. Mr. Reiver consents to the issuance of the Order, and agrees to comply with all of its terms. The Order complies with all requirements of law, and is issued pursuant to Section 206 of the Act, 12 U.S.C. § 1786. Upon its issuance, the Order is final, effective and fully enforceable by the NCUAB. The laws of the United States of America govern the construction and validity of this Stipulation and the Order, and the section and paragraph headings do not affect the interpretation of this Stipulation or the Order.

4. Waivers. Mr. Reiver waives his right to an administrative hearing provided by Section 206(g)(4) of the Act, 12 U.S.C. § 1786(g)(4). Mr. Reiver further waives his right to seek judicial review of the Order, or otherwise challenge the validity or legality of the Order.

5. Other Actions. Pursuant to this Stipulation, Mr. Reiver hereby agrees that the Order is solely for the purpose of resolving NCUAB's administrative enforcement action against him, as provided by paragraph 1 of this Stipulation, as well as any other administrative enforcement claim against Mr. Reiver based on facts in the possession of NCUAB as of the date of the Order, relating to his affiliations with Melrose Credit Union or any affiliate thereof. Mr. Reiver agrees

that, other than a credit for the restitution being paid thereunder, the Order does not release, discharge, compromise, settle, dismiss, resolve, or in any way affect any actions, claims, charges against, or liabilities that arise in connection with his affiliations with Melrose Credit Union, or any affiliate thereof, and that may be or have been brought by NCUAB or any Federal or state government agency or entity other than an administrative enforcement claim against him by the NCUAB referred to in this subparagraph (5). Nothing in this Stipulation or in the Order shall prevent NCUAB from taking action to address any violation of the Order or to enforce any terms of the Order.

WHEREFORE, based on the foregoing, Mr. Reiver and the NCUAB execute this Stipulation and Consent to the Issuance of an Order of Prohibition and to Cease and Desist with Restitution.

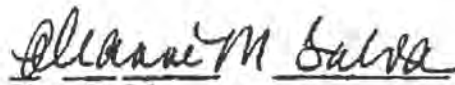


Mitchell Reiver

10/15/18

Date

NATIONAL CREDIT UNION ADMINISTRATION



Dianna M. Salva
Office of General Counsel

10/15/18

Date

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
NATIONAL CREDIT UNION ADMINISTRATION BOARD**

In the Matter of

MITCHELL REIVER,

**Former Employee, Board Member
and Institution-Affiliated Party of
Melrose Credit Union,
Briarwood, New York,**

Respondent

Docket No. 18-0087-R1

**ORDER OF PROHIBITION AND CEASE AND DESIST
ORDER WITH ORDER OF RESTITUTION**

WHEREAS, Mitchell Reiver ("Mr. Reiver") and the National Credit Union Administration Board ("NCUAB") executed a Stipulation and Consent to Issuance of an Order of Prohibition and to Cease and Desist with Restitution ("Stipulation"), and agreed and consented to the issuance of this Order of Prohibition and to Cease and Desist with the payment of Restitution ("Order"), pursuant to Section 206(g) and (e) of the Federal Credit Union Act ("the Act"), 12 U.S.C. § 1786(g) and (e), and Part 747 of the National Credit Union Administration Rules and Regulations ("Rules"), 12 C.F.R. § 747, *et seq.*; and

WHEREAS, pursuant to the Act and the Rules, the NCUAB has authority to issue a final Order where the Respondent who is an Institution-Affiliated Party ("IAP"), such as Mr. Reiver, consents to the issuance of such an Order.

WHEREAS, the NCUAB is of the opinion that reasonable, just, and adequate grounds exist to initiate an administrative prohibition and a cease and desist with restitution proceeding against Mr. Reiver, pursuant to Section 206(g) and (e) of the Act, 12 U.S.C. § 1786(g) and (e), for conduct engaged in by Mr. Reiver in his role as IAP of Melrose Credit Union, and (b) that the final Order consented to by Mr. Reiver is reasonable, just, and proper.

NOW THEREFORE, the NCUAB issues this Order effective on 10-15-18, and prohibits Mr. Reiver from participating in any manner in the conduct of the affairs of any federally insured credit union, and from continuing or commencing to hold any office, or participate in any manner, in the conduct of the affairs of any other institution or agency set forth in Section 206(g)(7) of the Act, 12 U.S.C. § 1786(g)(7) and to pay restitution in the amount of \$77,166.45 to Melrose Credit Union no later than ten (10) business days from the effective date of this Order, pursuant to Section 206(e) of the Act, 12 U.S.C. § 1786(e).

FURTHERMORE, this Order against Mr. Reiver incorporates by reference the Stipulation the Parties executed, and is effective upon its issuance.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: 

L. J. Blankenberger, Regional Director

Dated: 10/15/18