

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 10-CR-20165-LENARD

UNITED STATES OF AMERICA

vs.

WACHOVIA BANK, N.A.,

Defendant.

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ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of Court endorsed herein, the United States Attorney for the Southern District of Florida hereby dismisses the Criminal Information filed in the above-captioned case against the defendant, WACHOVIA BANK, N.A. As grounds therefore, the government states as follows:

1. On March 12, 2010, the United States filed a Criminal Information charging Wachovia Bank, N.A., with willfully failing to establish an anti-money laundering program, in violation of Title 31, United States Code, Sections 5318(h)(1) and 5322(a).


2. On March 16, 2010, the United States and Wachovia Bank, N.A. entered into a twelve month deferred prosecution agreement (“DPA”), which was filed with this Court (D.E. # 13). The DPA required, among other things, that Wachovia Bank, N.A. (a) acknowledge responsibility for its conduct as detailed in the Factual Statement; (b) continue its cooperation with the United States; and (c) demonstrate its future good conduct and compliance in all material aspects with the Bank Secrecy Act and all of its implementing regulations, including, but not limited to, the remedial actions specified in the DPA.

3. Pursuant to the DPA, the United States agreed that if Wachovia Bank, N.A. fully complied with all of its obligations under the DPA, it would dismiss the Criminal Information against Wachovia Bank, N.A.

4. Given that Wachovia Bank, N.A. has fully complied with its obligations under the DPA and has not otherwise breached the DPA, and pursuant to the terms of the DPA, the United States believes that dismissal is appropriate under the circumstances.

WHEREFORE, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of Court endorsed hereon, the United States hereby dismisses the Criminal Information filed in the instant case.

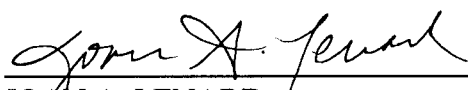
Respectfully Submitted,



WIFREDO A. FERRER
UNITED STATES ATTORNEY

Leave of Court is granted for the filing of the foregoing Dismissal.

DATE: 4/6/11



JOAN A. LENARD
UNITED STATES DISTRICT JUDGE