

LAWRENCE WASDEN
Attorney General

JOSEPH B. JONES – I.S.B. #2768
Deputy Attorney General
State of Idaho
Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031
Telephone: (208) 332-8092
Facsimile: (208) 332-8016
joseph.jones@finance.idaho.gov

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE
OF THE STATE OF IDAHO**

STATE OF IDAHO, DEPARTMENT OF FINANCE, FINANCIAL INSTITUTIONS BUREAU,)	
)	
)	Docket No. 2009-41-01
)	
Complainant,)	
)	
vs.)	ORDER TO PAY RESTITUTION, PENALTIES, AND COSTS
)	
LISA SEGURA TREVINO,)	
)	
Respondent.)	
_____)	

Gavin M. Gee, Director of the Idaho Department of Finance (Director), being authorized and directed to administer and enforce the Idaho Financial Fraud Prevention Act, Idaho Code § 67-2750 *et seq.* (the Act), does hereby find and order as follows:

On October 19, 2009, the Director ordered LISA SEGURA TREVINO (Respondent) to CEASE AND DESIST from violating the Act by employing any device, scheme or artifice to defraud a financial institution; obtaining or attempting to obtain money, funds credits, assets, securities, or other property owned by or under the custody or control of a financial institution by means of false or fraudulent pretenses, representations, or promises or through the use of any

fraudulent pretenses, representations, or promises or through the use of any fraudulent device, scheme, artifice, or fraudulent monetary instrument; and from doing any of the foregoing while serving as an employee, agent or representative of a financial institution.

In the ORDER TO CEASE AND DESIST issued on October 19, 2009, Respondent was notified that if she did not file a Motion For Reconsideration or a request for hearing within fourteen (14) days following the service of that order, the Director may issue a second order requiring Respondent to make restitution to MAP Credit Union in the amount of twenty-two thousand, two hundred sixty-five dollars (\$22,265); requiring Respondent to pay penalties of up to five-thousand dollars (\$5,000) for each violation of the Act, plus costs which may include reasonable attorney's fees and the costs of investigation in this matter.

In the ORDER TO CEASE AND DESIST issued on October 19, 2009, the Director set forth his findings that Respondent had violated the Act by conducting thirty-three (33) unauthorized withdrawals and transfers of funds from the accounts of members of MAP Credit Union in Burley, Idaho, while serving as a customer service representative of MAP Credit Union. The Director hereby FINDS that Respondent's acts constitute thirty-three (33) violations of the Act.

The record in this matter reflects that Respondent was served with a copy of the ORDER TO CEASE AND DESIST by certified mail on October 20, 2009, and by personal service on October 22, 2009. Respondent has failed to file a Motion for Reconsideration or a request for a hearing after she was served with the ORDER TO CEASE AND DESIST.

Based on the foregoing, and good cause appearing therefore, pursuant to Idaho Code § 67-2755(2), it is hereby ORDERED that:

(1) Respondent LISA SEGURA TREVINO shall pay to the Department the amount of twenty-two thousand, two hundred sixty-five dollars (\$22,265) constituting restitution to MAP Credit Union of Burley, Idaho;

(2) Respondent LISA SEGURA TREVINO shall pay to the Department the additional sum of \$33,000, representing \$1,000 for each of the thirty-three (33) violations of the Act;

(3) Respondent LISA SEGURA TREVINO shall pay to the Department the additional sum of \$5,000 representing \$3,000 in reimbursement of the Department's investigative costs in this matter and reasonable attorney fees of \$2,000.

Pursuant to Idaho Code § 67-2753, it is further ORDERED that Respondent shall not seek or accept employment with, or become employed by an Idaho chartered or licensed financial institution without the prior written consent of the Director.

This is a final order of the Director. You are hereby NOTIFIED that, pursuant to Idaho Code § 67-5246(4), you may file a motion for reconsideration of this order within fourteen (14) days of the issuance of the order.

A request for a hearing must be requested in writing and addressed to:

Mary Hughes
Financial Institutions Bureau Chief
Idaho Department of Finance
P.O. Box 83720
Boise, Idaho 83720-0031

A copy of such request must also be served on the Department's counsel, Joseph B. Jones, Deputy Attorney General, at the same address.

If Respondent timely files a request for hearing, the Department will notify Respondent of the date, time and place of the hearing, as well as the name and contact information of the presiding officer.

Any hearing and subsequent proceedings in this matter will be conducted in accordance with the Idaho Administrative Procedure Act, Idaho Code § 67-5201 et seq.

The Department will dispose of a motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. Idaho Code § 67-5246(4); Rule 740, Idaho Rules of Administrative Procedure of the Attorney General (IRAP), located at IDAPA 4.11.01.740.

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal to the district court by filing a petition in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

Also see IDAPA 04.11.01.740.02.b.

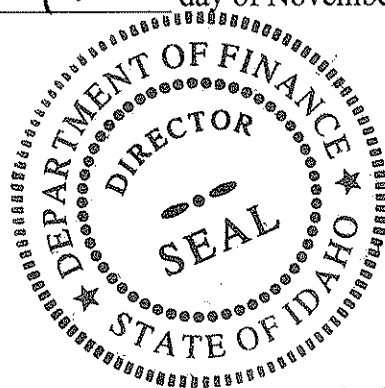
An appeal must be filed within twenty-eight (28) days of (a) the service date of this final order, (b) of an order denying a motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to the district court does not itself stay the effectiveness or enforcement of the order under appeal. See IDAPA 04.11.01.740.02.c.

If Respondent requires any assistance of the kind the Department provides under the Americans with Disabilities Act (e.g. sign language interpreters, Braille copies of documents) in order to participate in or understand these proceedings, the Department will supply such reasonable assistance upon an advance request.

In accordance with Idaho Code § 67-5246(5), this Order shall be effective fourteen (14) days following its issuance.

IT IS SO ORDERED.

DATED this 17th day of November, 2009.



STATE OF IDAHO
DEPARTMENT OF FINANCE

GAVIN M. GEE, Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18 day of November, 2009, I caused a true and correct fully-executed copy of the foregoing ORDER TO PAY RESTITUTION, PENALTIES, AND COSTS to be served on the following by the designated means:

Lisa Segura Trevino
2982 E. 990 S.
Hazelton, ID 83335

- U.S. mail, postage prepaid
- certified mail
- facsimile _____
- overnight delivery
- hand delivery

Paralegal