

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

Vincent John Pozzuoli,

Enforcement Case No. 13-11678

Respondent.

_____ /

Issued and entered,
this 26 day of Feb. 2013
by Stephen R. Hilker,
Senior Deputy Commissioner

ORDER OF PROHIBITION

WHEREAS, the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) is statutorily charged with the responsibility and authority to administer and implement the Mortgage Brokers, Lenders, and Servicers Licensing Act (Act), 1987 PA 173, as amended, MCL 445.1651 *et seq.*, pursuant to provisions therein; and,

WHEREAS, Section 18a(8) of the Act provides for the prohibition of a person convicted of a felony involving fraud, dishonesty, or breach of trust, from being a licensee or registrant and from being employed by, an agent of, or control person of any licensee or registrant under the Act or a licensee or registrant under a financial licensing act; and,

WHEREAS, Section 18a(8) of the Act provides that a person subject to an Order issued thereunder, may apply to the Commissioner to terminate the Order after 5 years from the date of the Order; and,

WHEREAS, pursuant to Section 18b(2) of the Act, Respondent may have a right to judicial review of this Order; and,

WHEREAS, Respondent was formerly a manager and vice president of loan originations for Ditech.com Inc., it is alleged that Respondent and two other managers were involved in extortion and solicited illegal kickbacks from ATM Corp. of America (ATM), a Pittsburg company that provided title insurance, notary closings and other mortgage services to Ditech.com, by threatening to stop using ATM's mortgage services unless the company agreed to pay them and put the father-in-law of one of the managers on payroll as a "ghost employee"; and,

WHEREAS, in 2001, Respondent pled guilty to a felony under the Federal Travel Act, in violation of 18 U.S.C. § 1952 in the United States District Court for the Western District of Pennsylvania (Case No. 2: CR 00-82); and,

WHEREAS, that conviction having involved fraud, dishonesty, or breach of trust, Respondent is subject to Prohibition by the Office of Financial and Insurance Regulation, pursuant to MCL 445.1668a(8); and,

WHEREAS, the Commissioner finds and concludes as a matter of law and fact that Respondent shall be and is eligible for and subject to Prohibition by the Office of Financial and Insurance Regulation, pursuant to MCL 445.1668a(8),

NOW THEREFORE, IT IS ORDERED that:

1. **Vincent John Pozzuoli** is prohibited from being a licensee or registrant or from being employed by, an agent of, or control person of any licensee or registrant under the Mortgage Brokers, Lenders, and Servicers Licensing Act, 1987 PA 173, as amended, MCL 445.1651 *et seq.*, or a licensee or registrant under a financial licensing act.
2. This Order shall be and is effective on the date it is issued and entered, as shown in the caption hereof. This Order shall remain in effect until terminated, modified, or set aside in writing by the Commissioner.


Stephen R. Hilker
Senior Deputy Commissioner