

**NATIONAL CREDIT UNION ADMINISTRATION  
B-1 FORM**

**TO:** NCUA Board Secretary Gerald Poliquin

**DATE:** 1/27/2020

**FROM:** C. Keith Morton, President, Asset Management and Assistance Center

**AGENDA ITEM:** Briefing on Asset Management Estates of Melrose CU and LOMTO FCU

**SUBJECT:** Update on Asset Management Estates of Melrose CU and LOMTO FCU

**TARGET MEETING DATE:** 2/6/2020

**Agenda Recommendations:**

**Special**



**Regular**



**Meeting Recommendation:**

**Open**



**Closed**



**Applicable Exemptions:** (See 12 C.F.R. 791.12(a)(4), (a)(8); (9)(i)(B); and 9(ii))

**Memo**



**Discussion**



**Supporting Comments:** Information to discuss pertains to the liquidating agent's actions taken in administering active liquidation estates.

**Public Interest Consideration:** The need for confidentiality concerning discussions and actions outweighs the interest of the public.

**Reason for Coming to the Board with this Item:**

To brief the NCUAB on issues as AMAC approaches critical milestones.

**Staff Responsible for Item Preparation:**

C. Keith Morton, President, Asset Management Assistance Center

Cory Phariss, Deputy to the President, Asset Management Assistance Center

**Office Representative (Type)**

C. Keith Morton, President, Asset Management Assistance Center

**Signature**

*C. Keith Morton*




## Item Certification (Rev. Sep. 2015)

I certify that the portion of the board meeting at which the following item is discussed may be closed to the public under exemption 5 U.S.C. § 552b(c), as implemented by NCUA's Rules and Regulations, 12 CFR § 791.12(a):  
**Update on Asset Management Estates of Melrose CU and LOMTO FCU.**

Exemptions: (Disclosure of the information is likely to):

- ☐ (1) Disclose matters that are (i) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy; and (ii) in fact properly classified pursuant to such Executive order.
- ☐ (2) Relate solely to internal personnel rules and practices.
- ☐ (3) Disclose matters specifically exempted from disclosure by statute (other than section 552 of title 5 of the United States Code, the Freedom of Information Act), provided that such statute (i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld.
- ☐ (4) Disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential.
- ☐ (5) Involve accusing any person of a crime, or formally censuring any person.
- ☐ (6) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.
- ☐ (7) Disclose investigatory records compiled for enforcement purposes, or information which if written would be contained in such records, but only to the extent that the production of such records or information would (i) interfere with enforcement proceedings, (ii) deprive a person of a right to a fair trial or an impartial adjudication, (iii) constitute an unwarranted invasion of personal privacy, (iv) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by a Federal agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (v) disclose investigative techniques and procedures, or (vi) endanger the life or physical safety of law enforcement personnel.
- ☒ (8) Disclose information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of Federal agencies responsible for the regulation or supervision of financial institutions.
- ☒ (9) Disclose information the premature disclosure of which would be likely to:
- ☐ (i)(A) lead to significant speculation in currencies, securities, or commodities, or
- ☒ (B) significantly endanger the stability of any financial institution, or
- ☒ (ii) be likely to significantly frustrate implementation of a proposed action, except that this paragraph (a)(9) shall not apply in any instance where the Board has already disclosed to the public the content or nature of its proposed action, or where the Board is required by law to make such disclosure on its own initiative prior to taking final action on such proposal.
- ☐ (10) Specifically concern the issuance of a subpoena, participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition of a particular case of formal agency adjudication pursuant to the procedures in section 554 of title 5 of the United States Code or otherwise involving a determination on the record after opportunity for a hearing.

  
\_\_\_\_\_  
General Counsel

1/27/20  
\_\_\_\_\_  
Date

☒ Approved ☐ Refused

### Public Interest Consideration

**Public interest in this item is outweighed by the confidentiality to discuss actions taken in administering active liquidation estates.**