

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of	)	
	)	
COMENITY CAPITAL BANK	)	ORDER TO PAY
DRAPER, UTAH	)	
	)	
(Insured State Nonmember Bank)	)	FDIC-24-0050k
	)	

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Comenity Capital Bank, Draper, Utah (**Bank**) was advised of the Bank’s right to receive a *Notice of Assessment of Civil Money Penalty, Findings of Fact and Conclusions of Law, Order to Pay and Notice Of Hearing (Notice)* issued by the Federal Deposit Insurance Corporation (**FDIC**) detailing the violations of law and/or regulation for which a civil money penalty (**CMP**) may be assessed against the Bank pursuant to section 8(i)(2) of the Federal Deposit Insurance Act (**Act**), 12 U.S.C. § 1818(i)(2), and was further advised of the right to a hearing on the Notice under section 8(i) of the Act, 12 U.S.C. § 1818(i), and the FDIC’s Rules of Practice and Procedure, 12 C.F.R. Part 308, subparts A and B. The Bank, by and through its duly elected board of directors, having waived these and certain other rights under those provisions entered into a *Stipulation and Consent to the Issuance of an Order to Pay (Consent Agreement)* with counsel for the FDIC on July 24, 2024.

The FDIC determined and the Bank neither admits nor denies that the Bank engaged in unfair acts and practices in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45(a)(1), related to reward programs and the processing of automatic payments matters resulting from the conversion from an internal core system platform to an external core system platform.

