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## TotalBank files lawsuit against U.S. Century Bank and CEO

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TotalBank has filed a lawsuit against U.S. Century Bank and U.S. Century Bank CEO Luis de la Aguilera.

The lawsuit alleges that de la Aguilera, who stepped down as CEO of TotalBank in December 2015 amid wide-scale layoffs, used confidential information he gained during his 15 years at TotalBank to poach TotalBank employees, divert potential clients to U.S. Century Bank and expand its residential mortgage and commercial lending divisions.

“TotalBank will not stand for predatory behavior in our industry and expects those responsible to be held fully accountable for their actions,” Berger Singerman attorney Chuck Lichtman said in a statement on behalf of his client, TotalBank. The suit was filed Tuesday in Florida Circuit Court in Miami-Dade.

Miami-based TotalBank requires employees to sign confidentiality agreements and adhere to a code of ethics, according to lawsuit documents. De la Aguilera is accused of explicitly violating the terms of both.

According to the lawsuit, de la Aguilera and U.S. Century Bank “mount[ed] a campaign to deliberately disrupt TotalBank’s business” when de la Aguilera came on board as CEO in 2015 by misappropriating TotalBank’s confidential information, “raiding” TotalBank’s key employees and soliciting TotalBank clients using confidential information.

The lawsuit claims that U.S. Century was aware of de la Aguilera’s “improper, unethical and unlawful conduct.”

U.S. Century retorted with a statement that the lawsuit alleges “a myriad of untruths and unsupported” accusations.

“From a reading of the complaint, it seems that Total Bank [sic] can’t stand the heat of competition coming from U.S. Century Bank and thinks that by using U.S. Century it can stop U.S. Century from competing aggressively yet fairly,” said Podhurst Orseck attorney Peter Prieto, who is representing U.S. Century. “Well, like they say, if Total Bank can’t stand the heat of competition, it needs to get out of the kitchen.”

De la Aguilera was with TotalBank for nearly 14 years before taking over as CEO in 2013. He [resigned from the position on Dec. 14, 2015](#), just weeks after more than 15 percent of TotalBank’s workforce was laid off. One day later, on December 15, [U.S. Century Bank appointed de la Aguilera as its CEO](#).

As of Dec. 31, 2015, U.S. Century had \$910 million in consolidated assets, according to the Federal Reserve website; TotalBank had more than \$2.7 billion.

In its current ratings, Bauer Financial gave TotalBank five stars, classifying it as “superior.” It gave U.S. Century two stars out of five, classifying it as a “problematic” institution.