

STERLING BANCORP
Form 10-Q
August 11, 2008

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 10-Q

(Mark One)

☒ QUARTERLY REPORT PURSUANT TO SECTION 13 or 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the quarterly period ended **June 30, 2008**

or

☐ TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from _____ to _____

Commission File Number: 1-5273-1

Sterling Bancorp

(Exact name of registrant as specified in its charter)

New York

13-2565216

(State or other jurisdiction of
incorporation or organization)

(I.R.S. Employer
Identification)

650 Fifth Avenue, New York, N.Y.

10019-6108

(Address of principal executive offices)

(Zip Code)

212-757-3300

(Registrant's telephone number, including area code)

N/A

(Former name, former address and former fiscal year, if changed since last report)

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. ☒ Yes ☐ No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer or a smaller reporting company as defined in Rule 12b-2 of the Exchange Act. (Check one):

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Large Accelerated Filer ☐ Accelerated Filer ☒ Non-Accelerated Filer ☐ Smaller Reporting Company ☐

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). ☐ Yes ☒ No

As of July 31, 2008 there were 17,988,970 shares of common stock,
\$1.00 par value, outstanding.

STERLING BANCORP

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| Exhibit 32.1 | Certification of the CEO required by Section 1350 of Chapter 63 of Title 18 of the U.S. Code | 49 |
| Exhibit 32.2 | Certification of the CFO required by Section 1350 of Chapter 63 of Title 18 of the U.S. Code | 50 |

STERLING BANCORP AND SUBSIDIARIES
Consolidated Balance Sheets
(Unaudited)

| | June 30, 2008 | December 31, 2007 |
|--|-------------------------|-------------------------|
| ASSETS | | |
| Cash and due from banks | \$ 49,995,333 | \$ 66,412,612 |
| Interest-bearing deposits with other banks | 880,586 | 979,984 |
| Federal funds sold | 2,500,000 | — |
| Securities available for sale (at estimated fair value; pledged: \$354,714,456 in 2008 and \$102,326,258 in 2007) | 434,700,315 | 263,380,570 |
| Securities held to maturity (pledged: \$189,255,930 in 2008 and \$191,549,044 in 2007) (estimated fair value: \$331,036,664 in 2008 and \$359,725,008 in 2007) | 333,105,325 | 361,860,847 |
| Total investment securities | 767,805,640 | 625,241,417 |
| Loans held for sale | 24,409,918 | 23,755,906 |
| Loans held in portfolio, net of unearned discounts | 1,193,983,072 | 1,187,123,984 |
| Less allowance for loan losses | 15,480,483 | 15,084,775 |
| Loans, net | 1,178,502,589 | 1,172,039,209 |
| Customers' liability under acceptances | 327,653 | 200,942 |
| Goodwill | 22,900,912 | 22,900,912 |
| Premises and equipment, net | 10,868,661 | 11,178,883 |
| Other real estate | 2,251,834 | 1,669,993 |
| Accrued interest receivable | 9,877,401 | 7,081,304 |
| Bank owned life insurance | 29,603,613 | 29,041,115 |
| Other assets | 62,215,485 | 52,146,506 |
| | \$ 2,162,139,625 | \$ 2,012,648,783 |
| LIABILITIES AND SHAREHOLDERS' EQUITY | | |
| Deposits | | |
| Demand deposits | \$ 492,928,765 | \$ 535,350,808 |
| Savings, NOW and money market deposits | 486,515,818 | 467,446,622 |
| Time deposits | 459,038,839 | 524,188,749 |
| Total deposits | 1,438,483,422 | 1,526,986,179 |
| Securities sold under agreements to repurchase - customers | 64,757,726 | 60,053,947 |
| Securities sold under agreements to repurchase - dealers | 72,832,845 | 10,200,000 |
| Federal funds purchased | 70,000,000 | 65,000,000 |
| Commercial paper | 20,543,819 | 20,878,494 |

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| | | |
|--|------------------|------------------|
| Short-term borrowings - FHLB | 77,000,000 | 45,000,000 |
| Short-term borrowings - other | 20,713,415 | 4,285,198 |
| Long-term borrowings - FHLB | 160,000,000 | 40,000,000 |
| Long-term borrowings - subordinated debentures | 25,774,000 | 25,774,000 |
| | <hr/> | <hr/> |
| Total borrowings | 511,621,805 | 271,191,639 |
| | <hr/> | <hr/> |
| Acceptances outstanding | 327,653 | 200,942 |
| Accrued expenses and other liabilities | 91,981,800 | 93,199,746 |
| | <hr/> | <hr/> |
| Total liabilities | 2,042,414,680 | 1,891,578,506 |
| | <hr/> | <hr/> |
| Shareholders' equity | | |
| Common stock, \$1 par value. Authorized 50,000,000 shares; issued 21,813,131 and 21,278,531 shares, respectively | 21,813,131 | 21,278,531 |
| Capital surplus | 174,632,887 | 168,868,895 |
| Retained earnings | 18,159,357 | 17,537,732 |
| Accumulated other comprehensive loss, net of tax | (13,859,228) | (10,811,811) |
| | <hr/> | <hr/> |
| | 200,746,147 | 196,873,347 |
| Less | | |
| Common shares in treasury at cost, 3,824,161 and 3,459,302 shares, respectively | 81,021,202 | 75,803,070 |
| | <hr/> | <hr/> |
| Total shareholders' equity | 119,724,945 | 121,070,277 |
| | <hr/> | <hr/> |
| | \$ 2,162,139,625 | \$ 2,012,648,783 |
| | <hr/> | <hr/> |