

UNITED STATES OF AMERICA  
Before The  
OFFICE OF THRIFT SUPERVISION

In the Matter of :

Nita F. Young

Former  
Institution-Affiliated Party  
Home Savings and Loan  
Association  
Madison, Wisconsin

Re: Resolution No. CHI-93-10

Dated: May 13, 1993

STIPULATION AND CONSENT TO ISSUANCE  
OF AN ORDER OF PROHIBITION

The Office of Thrift Supervision ("OTS"), by and through its Regional Director for the Central Region, and Nita F. Young ("Young") a former employee of Home Savings and Loan Association, Madison, Wisconsin ("Home") hereby stipulate and agree as follows:

1. Consideration.

The OTS, based upon information reported to it, is of the opinion that grounds exist to initiate an administrative prohibition proceeding against Young pursuant to Section 8(e) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. § 1818(e). Young desires to avoid the time and expense of such administrative litigation and hereby stipulates and agrees to the following terms in consideration of the forbearance by the OTS from initiating such administrative prohibition litigation against her.

2. Jurisdiction and Facts.

(a) Home is a "savings association" within the meaning of Section 3 of the FDIA and Section 2 of the Home Owners' Loan Act of 1933. Accordingly, it is an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, 12 U.S.C. § 1813(c);

(b) Young, as a former employee of Home, is an "institution-affiliated party" as that term is defined in Section 3(u) of the FDIA, 12 U.S.C. § 1813(u);

(c) Pursuant to Section 3 of the FDIA, the Director of the OTS is the "appropriate Federal Banking agency" to maintain an enforcement proceeding against such a savings association or its institution-affiliated parties. Therefore, Young is subject to the authority of the OTS to initiate and maintain a prohibition proceeding against her pursuant to Section 8(e) of the FDIA, 12 U.S.C. § 1818(e);

(d) On or about December 28, 1990, Young, with intent to injure and defraud Home, did knowingly and willfully misapply funds of Home in the amount of \$30,000 in violation of 18 U.S.C. § 656;

(e) On or about January 5, 1993, Young was indicted for "Theft, Embezzlement or Misapplication by Bank Officer or Employee" pursuant to 18 U.S.C. § 656, in the United States District Court for the Western District of Wisconsin;

(f) On or about February 2, 1993, Young entered into a Plea Agreement with the United States Department of Justice and plead guilty to "Theft, Embezzlement or Misapplication by Bank Officer or Employee" pursuant to 18 U.S.C. § 656; and

(g) On or about April 15, 1993, Young was sentenced in the United States District Court for the Western District of Wisconsin.

### 3. Consent.

Young consents to the issuance by the OTS of the accompanying Order of Prohibition ("Order"), a copy of which is attached hereto and incorporated as Exhibit A. Young further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

### 4. Finality.

The Order is issued under Section 8(e) of the FDIA, 12 U.S.C. § 1818(e). Upon its issuance by the Regional Director for the Central Region, it shall be a final order, effective and fully enforceable by the OTS under the provisions of Section 8(i) of the FDIA, 12 U.S.C. § 1818(i).



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ORDER OF PROHIBITION

WHEREAS, Nita F. Young ("Young") has executed a Stipulation and Consent to Issuance of an Order of Prohibition ("Stipulation"), which is incorporated herein by reference and is accepted and approved by the Office of Thrift Supervision ("OTS"), acting through its Regional Director for the Central Region;

WHEREAS, Young has in the Stipulation consented and agreed to the issuance of this Order of Prohibition ("Order"), pursuant to Section 8(e) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. § 1818(e); and

WHEREAS, the OTS reserves the right to pursue restitution and/or civil money penalties against Young.

NOW THEREFORE, IT IS ORDERED THAT:

1. Young is prohibited from further participation, in any manner, in the conduct of the affairs of Home Savings and Loan Association, Madison, Wisconsin, and any of its service corporations, subsidiaries, and successors.

2. Without the prior written approval of the Regional Director for the Central Region of the OTS, the Federal Deposit Insurance Corporation and, if appropriate, another Federal financial institution's regulatory agency, Young may not i) become or continue as, an institution-affiliated party with respect to any insured depository institution; ii) own or control, directly or indirectly, any insured depository institution; iii) solicit, procure, transfer, attempt to transfer, vote, or attempt to vote any proxy, consent, or

