

1. Jurisdiction and OTS Findings of Fact.

(a) The Association is a "savings association" within the meaning of Section 3(b) of the FDIA, 12 U.S.C. § 1813(b), and Section 2(4) of the Home Owners' Loan Act, 12 U.S.C. § 1462(4). 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) J.R. Curry, Sr., as a former Director and Chief Financial Officer and a current officer of the Association, is and was deemed to be and/or to have been an "institution-affiliated party" as that term is defined in Section 3(u) of the FDIA, 12 U.S.C. § 1813(u), having served in the above-referenced former capacities within six years of the date hereof. (See 12 U.S.C. § 1818(i)(3).)

(c) Pursuant to Section 3(q) of the FDIA, 12 U.S.C. § 1813(q), the OTS is the "appropriate Federal Banking agency" to maintain an enforcement proceeding against such a savings association and/or its institution-affiliated parties. Therefore, J.R. Curry, Sr. is subject to the authority of the OTS to initiate and maintain an administrative civil money penalty assessment proceeding against him pursuant to 12 U.S.C. § 1818(i).

(d) The OTS has determined (and J.R. Curry, Sr. neither admits nor denies) that:

(i) In a demonstration of continuing disregard for the safety and soundness of the Association, over a period of approximately two years:

(A) J.R. Curry, Sr., as Chief Financial Officer and in conjunction with the Chief Executive Officer, caused or contributed to the Association's failure to classify its consumer loans adequately and to establish adequate general valuation allowances against its consumer loans, in violation of 12 C.F.R. § 563.160; and

(B) J.R. Curry, Sr., as Chief Financial Officer and in conjunction with the Chief Executive Officer, caused or contributed to the Association's unsafe and unsound practice of continuing to engage in a high volume of high-risk consumer lending after the Association's consumer loan program had caused the Association to hold a high volume of consumer loans that either were substantially delinquent or would have been substantially delinquent but for extensions; and

(ii) Such actions constituted violations and practices that constituted a part of a pattern of misconduct.

2. Consent. J.R. Curry, Sr., desiring to cooperate with the OTS to avoid the time and expense of such administrative litigation, and without admitting or denying that such grounds exist, consents to the issuance by the OTS of the accompanying Order of Assessment of Civil Money Penalty ("Order"). J.R. Curry, Sr. further agrees to comply with the terms of the Order upon issuance and stipulates that the Order complies with all requirements of law, including Section 8(i) of the FDIA, 12 U.S.C. § 1818(i).

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

4. Waivers. J.R. Curry, Sr. waives the following legal rights:

(a) the right to be served with a written notice of Assessment of Civil Money Penalty provided by Section 8(i) of the FDIA, 12 U.S.C. § 1818(i);

(b) the right to an administrative hearing of the OTS's charges against him (see Section 8(i) of the FDIA, 12 U.S.C. § 1818(i)); and

(c) the right to seek judicial review of the accompanying Order, including, without limitation, any such right provided by Section 8(h) of the FDIA, 12 U.S.C. § 1818(h), or otherwise to challenge the validity of the Order.

5. Indemnification. J.R. Curry, Sr. shall neither cause nor permit the Association (or any subsidiary thereof) to incur, directly or indirectly, any expense for any legal (or other professional) expenses incurred relative to the negotiation and issuance of the Order, nor obtain any indemnification (or other reimbursement) from the Association (or any subsidiary thereof) with respect to such amounts. Any such payments received by or on behalf of J.R. Curry, Sr. in connection with this action shall be returned to the Association.

6. (a) This Stipulation and Consent to Entry of an Order of Assessment of Civil Money Penalty ("Stipulation") and the Order does not release, discharge, compromise, settle, dismiss, resolve, or in any way affect any actions, charges against, or liability of J.R. Curry, Sr. that arise pursuant to this action or otherwise, and that may be or have been brought by the Resolution Trust Corporation or any other governmental entity other than the OTS.

(b) J.R. Curry, Sr. acknowledges and agrees that this proceeding, the assessment or payment of the penalty contemplated as part of the resolution thereof, and his consent to the entry of the Order are for the purposes of resolving this OTS civil money penalty enforcement matter only, and do not resolve, affect or preclude any other civil or criminal proceeding which may be or has been brought against Respondent by the OTS or another governmental entity.

(c) By signing this document, J.R. Curry, Sr. agrees that he will not assert the assessment or payment of this penalty as the basis for a claim of double jeopardy in any pending or future proceeding brought by the United States Department of Justice or any other governmental entity.

(d) J.R. Curry, Sr.'s obligation to pay civil money penalties pursuant to this Stipulation and Order shall not be dischargeable in bankruptcy under any circumstances.

7. J.R. Curry, Sr. acknowledges that Section 8(j) of the FDIA, 12 U.S.C. § 1818(j), sets forth criminal penalties for knowing violations of the Order.

WHEREAS, J.R. Curry, Sr. executes this Stipulation, intending to be legally bound hereby.

J.R. CURRY, SR.

/S/

Accepted by:

OFFICE OF THRIPT SUPERVISION

/S/

Frederick R. Casteel
Regional Director
Midwest Region

Date: _____

6-29-98

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of)
)
J.R. CURRY, SR.)
OFFICER AND)
FORMER DIRECTOR AND CHIEF)
FINANCIAL OFFICER OF)
EAGLE FEDERAL BANK FOR)
SAVINGS,)
WAYNESBORO, MISSISSIPPI)
)

Re: Resolution No.: DAL-93-17

Dated: June 29, 1993

ORDER OF ASSESSMENT OF CIVIL MONEY PENALTY

WHEREAS, J.R. Curry, Sr. has executed a Stipulation and Consent to Entry of an Order of Assessment of Civil Money Penalty ("Stipulation") on June 29, 1993; and

WHEREAS, J.R. Curry, Sr., by his execution of the Stipulation, has consented and agreed to the issuance of this Order of Assessment of Civil Money Penalty ("Order") by the Office of Thrift Supervision ("OTS") pursuant to Section 8(i) of the Federal Deposit Insurance Act, 12 U.S.C. § 1818(i).

NOW THEREFORE, IT IS ORDERED that:

1. Within thirty days of the effective date of this Order, J.R. Curry, Sr. shall pay to the OTS the sum of \$20,000, by tendering a certified check to the OTS in that amount made payable to the Treasurer of the United States. The certified check shall be sent, together with a cover letter stating the name of the association and the resolution number, and a copy of the Order, to the following address: Controller's Division, Office of Thrift Supervision, 1700 G Street, N.W., Washington, D.C. 20552. A copy of the cover letter to the Controller's Division and a photocopy of the check shall be sent to David Dixon,

