

UNITED STATES OF AMERICA  
Before The  
OFFICE OF THRIFT SUPERVISION  
DEPARTMENT OF THE TREASURY

In the Matter of )

JEFFREY S. WORTHY, Former Vice )  
President of Columbia Savings and )  
Loan Association, Beverly Hills, )  
California; )

MICHAEL E. PARKER, Former )  
President of Parker North )  
American Corporation, Costa Mesa, )  
California; and )

BRIAN W. FINK, Former Vice )  
President of Parker North )  
American Continental Corporation, )  
Costa Mesa, California. )

Order No.: SF-93-029

Dated: Sept. 17, 1993

STIPULATION AND CONSENT TO ISSUANCE  
OF ORDER OF PROHIBITION AND TO CEASE AND DESIST

The Office of Thrift Supervision ("OTS"), by and through its Regional Director for the West Region, OTS, and Brian W. Fink ("Fink") hereby stipulate and agree, as follows.

1. Consideration. The OTS, based upon information gathered in the examination and supervisory process, has initiated administrative prohibition and cease and desist proceedings against Fink pursuant to Sections 8(b) and 8(e) of the Federal Deposit Insurance Act ("FDIA"), as amended by the Financial Institutions Reform, Recovery and Enforcement Act of 1989, Pub. L. No. 101-73, 103 Stat. 183 ("FIRREA"), 12 U.S.C. §§ 1818(b) and (e). Fink desires to cooperate with the OTS and to avoid the time and expense of such administrative litigation

and, without admitting or denying that grounds for such proceedings exist, hereby stipulates and agrees to the following terms in consideration of the forbearance by the OTS from continuing to pursue such administrative litigation against Fink with respect to the matters alleged in the Notice of Charges.

2. Jurisdiction. Fink acknowledges and submits to the jurisdiction of the OTS in this action.

3. Consent. Fink consents to the issuance by the OTS of the Order of Prohibition and To Cease and Desist. He further agrees to comply with the terms of the Order upon issuance and stipulates that the Order complies with all requirements of law.

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

5. Waivers. Fink waives his right to the administrative hearing under Section 8 of the FDIA, and further waives his right to seek judicial review of the Order, including any such right provided by Section 8(h) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(h), or otherwise challenge the validity of the Order. Fink acknowledges and agrees that this proceeding, and Fink's consent to the entry of the Order are for the purposes of resolving this OTS enforcement matter only, and do not resolve, affect or preclude any other civil or criminal proceeding which



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ORDER OF PROHIBITION AND TO CEASE AND DESIST

WHEREAS, Brian W. Fink ("Fink") has executed a Stipulation and Consent to Issuance of Order of Prohibition and To Cease and Desist ("Stipulation"), which is hereby accepted and approved by the Office of Thrift Supervision ("OTS"), acting through its Regional Director for the West Region; and

WHEREAS, Fink, in the Stipulation, has consented and agreed to the issuance of this Order of Prohibition pursuant to Section 8(e) of the Federal Deposit Insurance Act ("FDIA"), as amended by the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183, 12 U.S.C. § 1818(e), and

WHEREAS, Fink, in the Stipulation, has consented and agreed to the issuance of this Order To Cease and Desist pursuant to Section 8(b) of the Federal Deposit Insurance Act ("FDIA"), as amended by FIRREA, 12 U.S.C. § 1818(b).

NOW, THEREFORE, IT IS ORDERED that:

1. Without the prior written approval of the OTS, and, if appropriate, another federal financial institution regulatory agency, Fink may not, after the effective date of this Order, hold office in, or participate in any manner in the conduct of the affairs of any institution or other entity as set forth in Section 8(e)(7)(A) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(e)(7)(A). Pursuant to Section 8(e)(6) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(e)(6), conduct prohibited by this Order includes, inter alia, the solicitation, transfer, or exercise of any voting rights with respect to any securities issued by any insured depository institution, included but not limited to its holding company, subsidiary or service corporation, except as expressly set forth in the Stipulation.

2. Fink and any company controlled by Fink (collectively, "Fink") shall cease and desist from transacting any and all business, as defined below, with any insured depository institution, as defined in the FDIA, 12 U.S.C. § 1813(c)(2), or any of its subsidiaries, including, but not limited to, the following:

(a) Entering into any contract or agreement for the purchase, sale, lease or pledging of real property, goods,

