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assessment proceeding against First Federal Savings Bank with respect to violations noted in the April 1991 Report of Examination.

2. JURISDICTION.

- (a) First Federal Savings Bank, San Antonio, Texas, is a "savings association" within the meaning of Section 3 of the FDIA and Section 2 of HOLA as amended by FIRREA. Accordingly it is an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1813 (c)).
- (b) Pursuant to Section 3 of the FDIA, as amended by FIRREA, OTS is the "appropriate Federal banking agency" to maintain civil money penalty assessment proceedings against such savings association. Therefore, First Federal Savings Bank is subject to the authority of OTS to initiate and maintain the assessment of a civil money penalty pursuant to 12 U.S.C. § 1818(1).

3. CONSENT.

First Federal Savings Bank consents to the issuance by OTS of the accompanying Order and 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(i)(2) of the FDIA, 12 U.S.C. § 1818(1)(2) (1988 & Supp. I 1989). Upon its issuance by the

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Regional Director for the Midwest Region, it shall be a final order, effective and fully enforceable by OTS under the provisions of Section 8(i) of the FDIA, 12 U.S.C. §1818(i) (1988 & Supp. I 1989).

5. WAIVERS.

First Federal Savings Bank waives the right to a Notice of Assessment of Civil Money Penalty provided by Section 8(i) of the FDIA, 12 U.S.C. § 1818(i) (1988 & Supp. I 1989) and the administrative hearing provided by Section 8(i)(2)(H) of the FDIA, 12 U.S.C. § 1818(i)(2)(H) (1988 & Supp. I 1989), and further waives its right to seek judicial review of the Order, including any such right provided by Section 8(h) of the FDIA, 12 U.S.C. § 1818(h) (1988 & Supp. I 1989) or to otherwise challenge the validity of the Order.

WHEREFORE, in consideration of the foregoing, the Regional Director for the Midwest Region, on behalf of OTS, and First Federal Savings Bank, by its President and Chief Executive Officer acting pursuant to a resolution of the board of directors, a copy of which is attached and made a part of this document, execute this Stipulation and Consent to Entry of Order of Civil Money Penalty Assessment.

OFFICE OF THRIFT SUPERVISION

First Federal Savings Bank  
San Antonio, Texas

By:

/S/

\_\_\_\_\_  
Billy C. Wood  
Regional Director  
Midwest Regional Office

/S/

\_\_\_\_\_  
Wilson L. Fletcher  
President and Chief Executive  
Officer

UNITED STATES OF AMERICA  
Before The  
OFFICE OF THRIFT SUPERVISION

PHLBB  
OFFICE OF  
ASSESSMENT

JAN 11 1992

In the Matter of  
First Federal Savings Bank  
San Antonio, Texas

Re: Resolution No.: DAL-92-02

Dated: January 9, 1992

ORDER OF CIVIL MONEY PENALTY ASSESSMENT

WHEREAS, First Federal Savings Bank, ("First Federal Savings Bank") San Antonio, Texas, has executed a Stipulation and Consent to Entry of Order of Civil Money Penalty Assessment, which is incorporated herein by reference ("Stipulation") and is accepted and approved by the Office of Thrift Supervision ("OTS") acting through the Regional Director for the Midwest Region in Dallas, Texas; and,

WHEREAS, First Federal Savings Bank, in the Stipulation, has consented to the issuance of this Order of Civil Money Penalty Assessment pursuant to Section 8(i) of the Federal Deposit Insurance Act, 12 U.S.C. § 1818(i) (1988 & Supp. I 1989).

NOW THEREFORE, IT IS ORDERED that:

- (1) First Federal Savings Bank shall pay to OTS a sum of \$3,000 by tendering a check to the Regional Director, OTS, Dallas, Texas, in said amount made payable to the Treasurer of the United States.
- (2) First Federal Savings Bank shall comply with Paragraph 1 above by submitting said check on or before December 31, 1991.

OFFICE OF THRIFT SUPERVISION

By: /S/  
Billy C. Wood  
Regional Director  
Midwest Regional Office  
Office of Thrift Supervision