

UNITED STATES OF AMERICA  
Before The  
OFFICE OF THRIFT SUPERVISION

\_\_\_\_\_) )  
In the Matter of ) )  
) )  
NORBERTO GONZALEZ, JR., ) Re: Resolution No. NE92-54  
A Former Officer of ) )  
) )  
EASTERN SAVINGS AND ) Date: May 21, 1992  
LOAN ASSOCIATION, ) )  
) )  
Norwich, Connecticut ) )  
\_\_\_\_\_)

STIPULATION AND CONSENT TO  
ISSUANCE OF ORDER OF PROHIBITION  
AND ORDER ASSESSING CIVIL MONEY PENALTY

The Office of Thrift Supervision ("OTS"), by and through its Regional Director for the Northeast Regional Office, and Norberto Gonzalez, Jr., a former officer of Eastern Savings and Loan Association, Norwich, Connecticut ("Eastern"), hereby stipulate and agree as follows:

1. Consideration. The OTS, based upon information reported to it, is of the opinion that the grounds exist to initiate an administrative prohibition proceeding against Mr. Gonzalez pursuant to Section 8(e) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. § 1818(e), and a proceeding to assess a civil money penalty pursuant to Section 8(i) of the FDIA, 12 U.S.C. § 1818(i). Mr. Gonzalez desires to cooperate with the OTS and to avoid the time and expense of such administrative litigation and, therefore, hereby stipulates and agrees to the following terms in consideration of the forbearance of OTS from initiating such administrative prohibition litigation against him.

2. Jurisdiction.

(a) Eastern is a "savings association" as defined in Section 3(b)(1) of the FDIA, 12 U.S.C. § 1813(b)(1) and Section 2(4) of the Home Owners' Loan Act of 1933, 12 § 1462(4) ("HOLA"). 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) Mr. Gonzalez, as a former officer of Eastern, 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(q)(4) of the FDIA, 12 U.S.C. § 1813(q)(4), the OTS is the "appropriate Federal banking agency" to maintain an enforcement proceeding against such a savings association or its institution-affiliated parties. Therefore, Mr. Gonzalez is subject to the authority of the OTS to initiate and maintain a prohibition proceeding against him pursuant to Section 8(e) of the FDIA, 12 U.S.C. § 1818(e) and to assess a civil money penalty against him pursuant to Section 8(i) of the FDIA, 12 U.S.C. § 1818(i).

3. Consent. Mr. Gonzalez consents to the issuance by the OTS of the accompanying Order of Prohibition and Order Assessing Civil Money Penalty ("Order"). He 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) and (i) of the FDIA, 12 U.S.C. § 1818(e) and (i). Upon its issuance, 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).

5. Waivers. Mr. Gonzalez waives his right to a notice of intention to prohibit and the administrative hearing provided by Section 8(e) of the FDIA, 12 U.S.C. § 1818(e), and further waives his 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), or otherwise to challenge the validity of the Order.

6. No Effect on Actions by Other Agencies. Mr. Gonzalez 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 enforcement matter only, and do not resolve, affect, or preclude any other civil or criminal proceedings which may be or have been brought against him by the OTS or another governmental entity. By signing this document, Mr. Gonzalez agrees that he will not assert the assessment or payment of the penalty contemplated by the Order 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.



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ORDER OF PROHIBITION  
ORDER ASSESSING CIVIL MONEY PENALTY

WHEREAS, Norberto Gonzalez, Jr. has executed a Stipulation and Consent to Issuance of Order of Prohibition and Order Assessing Civil Money Penalty ("Stipulation"), which is accepted and approved by the Office of Thrift Supervision ("OTS") acting through its Regional Director for the Northeast Regional Office; and

WHEREAS, Mr. Gonzalez, in the Stipulation, has consented and agreed to the issuance of this Order of Prohibition and Order Assessing Civil Money Penalty ("Order") pursuant to Section 8(e) and (i) of the Federal Deposit Insurance Act 12 U.S.C. Sc 1818(e) and (i) ("FDIA");

NOW THEREFORE, IT IS ORDERED that:

A. Prohibition

1. Norberto Gonzalez, Jr. is prohibited from further participation, in any manner, in the conduct of the affairs of Eastern Savings and Loan Association, Norwich, Connecticut ("Eastern"), its holding company(ies), or service

corporation(s).

2. Without prior written approval of the Regional Director for the OTS Northeast Region, and, if appropriate, another Federal financial institutions regulatory agency, Norberto Gonzalez, Jr. may not hold any office in, or participate in any manner in the conduct of the affairs of, any institution(s) or other entity as set forth in Section 8(e)(7)(A) of the FDIA, 12 U.S.C. Sc 1818(e)(7)(A). Pursuant to Section 8(e)(6) of the FDIA, 12 U.S.C. Sc 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.

B. Civil Money Penalty

3. Mr. Gonzalez shall remit and pay a civil money penalty in the amount of \$1,000. Such penalty may be paid in monthly installments of \$50 each. All such payments shall be paid by remittance of a certified check made payable to the United States Treasury and delivered to the Regional Deputy Director of the OTS, 745 Atlantic Avenue, Suite 405, Boston, MA, 02111. Each such monthly payment shall be due on the first day of each month, commencing on June 1, 1992. In the event that any such payment is not made when due, and such deficiency is not cured within fifteen (15) days of the due date, OTS may declare the entire unpaid balance immediately due and payable.

