

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

In the Matter of )  
WILLIAM L. CROOK, ) Re: OTS Order No. NE92-59  
a former officer of a ) Date: June 1, 1992  
subsidiary of )  
CITIZENS SAVINGS BANK, F.S.B., )  
Ithaca, New York )  
\_\_\_\_\_ )

STIPULATION AND CONSENT TO ISSUANCE OF  
CONSENT ORDER OF PROHIBITION;  
ORDER TO CEASE AND DESIST DIRECTING PAYMENT OF RESTITUTION; and  
ORDER OF CIVIL MONEY PENALTY ASSESSMENT

This Stipulation and Consent is made and effective, as of the date of the attached Order, by and between the Office of Thrift Supervision ("OTS"), a bureau within the United States Department of the Treasury, and WILLIAM L. CROOK, an individual maintaining a residence in Summerville, South Carolina. This Stipulation and Consent concerns the issuance by the OTS to WILLIAM L. CROOK of the attached CONSENT ORDER OF PROHIBITION; ORDER TO CEASE AND DESIST DIRECTING PAYMENT OF RESTITUTION; and ORDER OF CIVIL MONEY PENALTY ASSESSMENT (the "ORDER"). In consideration of the mutual undertakings set forth below and other good and valuable consideration the parties hereto hereby stipulate and agree as follows:

1. Consideration.

The OTS, based upon information reported to it or otherwise obtained by it, is of the opinion that the grounds exist

to initiate administrative adjudicatory proceedings against WILLIAM L. CROOK, pursuant to Sections 8(b), 8(e), and 8(i)(2) of the Federal Deposit Insurance Act ("FDIA") (12 U.S.C.A. §§ 1818(b), (e), (i)(2)). WILLIAM L. CROOK wishes to cooperate with the OTS and to avoid the time and expense of such an administrative adjudicatory proceeding. WILLIAM L. CROOK, while neither admitting nor denying that grounds for such a proceeding exist, hereby stipulates and agrees to the terms of this Stipulation and Consent in consideration of the settlement by the OTS of the administrative charges, claims, and other matters described below in this paragraph. OTS hereby settles, compromises and resolves any and all charges and claims that OTS could bring in any administrative adjudicatory proceedings or civil actions against WILLIAM L. CROOK with respect to: (i) the disbursement of loan proceeds by CSB Mortgage Corp., during 1988 through 1990; and (ii) any matter reported in the OTS Report of Examination of CITIZENS SAVINGS BANK, F.S.B., Ithaca, New York, for the examination commenced on July 23, 1990, and ended October 23, 1990.

2. Jurisdiction. It is stipulated and agreed that the OTS is authorized and empowered to issue the ORDER pursuant to subsections (b), (e), and (i) of Section 8 of the FDIA (12 U.S.C.A. §§ 1818(b), (e), (i)). It is further stipulated and agreed that WILLIAM L. CROOK, until about October 1990, served as an officer of CSB Mortgage Corp., a wholly owned subsidiary service corporation of CITIZENS SAVINGS BANK, F.S.B., Ithaca, New York, a "savings

association" within the meaning of 12 U.S.C.A. § 1813(b). It is further stipulated and agreed that, due to the operation of 12 U.S.C.A. § 1818(b)(8), WILLIAM L. CROOK may be deemed to be an "institution-affiliated party" of CITIZENS SAVINGS BANK, F.S.B., and its service corporation, CSB Mortgage Corp., for the purposes of Section 8 of the FDIA.

3. Consent. WILLIAM L. CROOK hereby consents to the issuance by the OTS of the ORDER. WILLIAM L. CROOK further agrees to comply with the terms of the ORDER upon issuance, and stipulates that the ORDER complies with all requirements of law.

4. No Effect on Actions by Other Agencies.

(a) This Stipulation and Consent, the ORDER and the payment by WILLIAM L. CROOK of any monies or providing any other financial relief as contemplated by the ORDER, does not compromise, settle, dismiss, resolve, or in any way affect any civil actions, charges against, or liability of WILLIAM L. CROOK 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) WILLIAM L. CROOK acknowledges and agrees that this proceeding, the assessment or payment of the penalty contemplated as part of the resolution thereof, and the consent by WILLIAM L. CROOK 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 that may or have

been brought against WILLIAM L. CROOK by the OTS or another governmental entity. By signing this document WILLIAM L. CROOK 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.

5. Finality. The OTS is issuing the ORDER pursuant to subsections (b), (e), and (i)(2) of Section 8 of the FDIA (12 U.S.C.A. §§ 1818(b), (e), (i)(2)). Upon its issuance by the OTS, the ORDER shall be a final order that is effective and fully enforceable. See, e.g., 12 U.S.C.A. § 1818(i).

6. Waivers. WILLIAM L. CROOK waives the following legal rights:

- (a) the right to be served with: (i) a Notice of Charges relative to a cease-and-desist proceeding; (ii) a Notice of Intention to Prohibit; and (iii) a Notice of Assessment of Civil Money Penalties (see, e.g., 12 U.S.C.A. §§ 1818(b), (e), (i)(2)));
- (b) the right to an administrative adjudicatory hearing of the OTS's charges against them (see, e.g., 12 U.S.C.A. §§ 1818(b), (e), (i)(2)); and
- (c) the right to seek judicial review of the ORDER, including any such right provided by Section 8(h) of the FDIA (12 U.S.C.A. § 1818(h)) or otherwise to challenge the validity of the ORDER.

7. Communications.

(a) Except as otherwise provided in the ORDER, WILLIAM L. CROOK shall send any and all communications (including payments and notices) that are required or permitted under the ORDER and this Stipulation and Consent by prepaid first class mail or express delivery service. If the communication is required to be sent to the OTS's Senior Enforcement Counsel, it shall be sent to:

Steven A. Rosenberg, Esq.  
Senior Enforcement Counsel  
Office of Thrift Supervision  
10 Exchange Place, 17th Floor  
Jersey City, New Jersey 07302

If the communication is required to be sent to the OTS's Regional Deputy Director, it shall be sent to:

Richard B. Pow  
Regional Deputy Director  
Office of Thrift Supervision  
One Riverfront Center  
20 Stanwix Street  
Pittsburgh, Pennsylvania 15222,

or to such other address as the Regional Deputy Director (or his designee or successor) may otherwise specify in writing to WILLIAM L. CROOK.

(b) The OTS will send communications to WILLIAM L. CROOK addressed as follows:

Mr. William L. Crook  
c/o RE/MAX Professional Realty  
8761 Dorchester Road  
North Charleston, South Carolina 29420

or to such other address as WILLIAM L. CROOK may specify in a written notice sent to the OTS. Until WILLIAM L. CROOK shall have

made each and every payment required by the ORDER, WILLIAM L. CROOK shall promptly provide the OTS with written notice of any change in his residential address or business address.

8. Understanding about Hardship Application. It is understood that the OTS has agreed to the \$12,500 Restitution Amount and the \$500 civil money penalty amount, as set forth in the ORDER, based on the OTS's reliance on sworn documents demonstrating financial hardship that have been submitted to the OTS by WILLIAM L. CROOK (the "Hardship Application"). In the event that any information included in the Hardship Application is found to be false or misleading with respect to any material fact or, in connection with the Hardship Application, WILLIAM L. CROOK shall have omitted to state a material fact concerning any matter addressed in the Hardship Application, then: (i) the Restitution Amount, provided for in Paragraph 2 of the ORDER, shall be increased to \$270,000; and (b) the amount of the civil money penalty, provided for in Paragraph 3 of the ORDER shall be increased to \$25,000.

WHEREFORE, in consideration of the foregoing, the parties hereto hereby execute this Stipulation and Consent.

OFFICE OF THRIFT SUPERVISION

By:

/S/

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ANGELO A. VIGNA,  
Regional Director

/S/

\_\_\_\_\_  
WILLIAM L. CROOK

STATE OF SOUTH CAROLINA )  
 ) SS:  
COUNTY OF Char. )

On this 20<sup>th</sup> day of May, 1992, before me the subscriber, a Notary Public in and for the State of South Carolina, personally appeared WILLIAM L. CROOK, one of the individuals who executed the foregoing Stipulation and Consent, and he did acknowledge that he did examine and read the same and did sign the foregoing instrument, and that the same is his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

R. David Chas



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

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WILLIAM L. CROOK, ) OTS Order No. NE92-59  
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A former officer of a ) Date: June 1, 1992  
subsidiary of )  
CITIZENS SAVINGS BANK, F.S.B., )  
Ithaca, New York )  
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CONSENT ORDER OF PROHIBITION;  
ORDER TO CEASE AND DESIST DIRECTING PAYMENT OF RESTITUTION;  
and ORDER OF CIVIL MONEY PENALTY ASSESSMENT

The Office of Thrift Supervision ("OTS"), a bureau within the United States Department of the Treasury, hereby issues this Order pursuant to subsections (e), (b), and (i)(2) of Section 8 of the Federal Deposit Insurance Act ("FDIA"), as amended, 12 U.S.C.A. §§ 1818(e), (b), (i)(2).

WHEREAS, WILLIAM L. CROOK has executed the attached Stipulation and Consent, which is accepted and approved by the OTS; and

WHEREAS, WILLIAM L. CROOK, by the terms of the Stipulation and Consent, has consented and agreed to the issuance of this Order by the OTS.

NOW THEREFORE, IT IS ORDERED that:

1. Prohibition. WILLIAM L. CROOK shall be and is subject to the prohibitions of 12 U.S.C.A. § 1818(e) (FDIA § 8(e)), and such

prohibitions are specified at 12 U.S.C.A. § 1818(e)(6).

Accordingly, among other things, WILLIAM L. CROOK, except as otherwise provided in 12 U.S.C.A. § 1818(e)(7), shall not hold any office in or participate in any manner in the conduct of the affairs of any institution or agency specified in 12 U.S.C.A. § 1818(e)(7)(A), including but not limited to CSB MORTGAGE CORP., CITIZENS SAVINGS BANK, FSB, Ithaca, New York ("CITIZENS SAVINGS"), or any other federally insured depository institutions and subsidiaries thereof.

2. Affirmative Action in Form of Restitution.

(a) WILLIAM L. CROOK shall make restitution in the amount of \$12,500.00 (the "Restitution Amount") to CITIZENS SAVINGS, consisting of the 1992 Amount and four subsequent Annual Payments, which shall be payable as follows: (a) \$2,500.00 (the "1992 Amount"), payable in two installments in 1992 as set forth below; and (b) the remaining balance of \$10,000 shall be paid in four payments of \$2,500 each (the "Annual Payments") due on or before the 30th day of June during the years of 1993, 1994, 1995, and 1996 (the "Payment Dates"). The 1992 Amount of \$2,500 is due and payable as follows: (a) \$1,500 shall be tendered upon the execution by WILLIAM L. CROOK of the Stipulation and Consent; and (b) \$1,000 shall be tendered by no later than October 31, 1992. The 1992 Amount and each of the Annual Payments shall be paid by cashiers or certified checks made payable to the order of CITIZENS SAVINGS BANK, F.S.B. WILLIAM L. CROOK shall send each payment of

the 1992 Amount to the OTS's Senior Enforcement Counsel identified in the Stipulation and Consent. WILLIAM L. CROOK shall send each of the Annual Payments directly to the attention of the Treasurer of CITIZENS SAVINGS, 118 North Tioga Street, Ithaca, New York 14850, and a copy of each such Annual Payment shall be sent to the OTS's Regional Deputy Director in the manner specified by the Stipulation and Consent.

(b) Failure to make timely payment of any portion of the Restitution Amount shall constitute a violation of this Order. In the event WILLIAM L. CROOK violates this Order in such a manner, the entire outstanding balance of the Restitution Amount shall become immediately due and payable, and this acceleration of payment shall be without limitation on the exercise of any other powers by the OTS. The provisions of this Paragraph 2 of this Order are made and issued pursuant to Section 8(b) of the FDIA (12 U.S.C.A. § 1818(b)).

3. Civil Money Penalties. WILLIAM L. CROOK, immediately upon issuance of this Order, shall pay a final civil money penalty in the amount of Five Hundred Dollars (U.S.) (\$500.00). The payment shall be made in the form of one or more certified or cashiers checks made payable to the order of the Treasurer of the United States, which shall be sent to the OTS's Senior Enforcement Counsel. The civil-money-penalty provisions of this Order are made and issued pursuant to Section 8(i)(2) of the FDIA (12 U.S.C.A. § 1818(i)(2)).

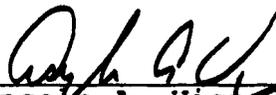
4. Stipulation and Consent Incorporated. The Stipulation and Consent is made a part hereof and is incorporated herein by this reference.

5. Finality of Order; Date of Effectiveness. This Order is a final order, and is subject to the provisions of Section 8(j) of the FDIA (12 U.S.C.A. § 1818(j)). The requirements of this Order shall become effective and enforceable on the date of issuance hereof.

IT IS SO ORDERED on this 1st day of June, 1992.

OFFICE OF THRIFT SUPERVISION

By:

  
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Angelo A. Vigna,  
Regional Director