

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of)
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First Savings Bank, A Federal)
Savings Bank)
Arlington, Texas)
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Re: Resolution No.: DAL-91-229 *plc*
Dated: December 23, 1991

STIPULATION AND CONSENT TO ENTRY OF
ORDER OF CIVIL MONEY PENALTY ASSESSMENT

The Office of Thrift Supervision ("OTS"), by and through the Regional Director for the Midwest Regional Office, and First Savings Bank, A Federal Savings Bank, Arlington, Texas (First Savings Bank), by and through its Board of Directors stipulate and agree as follows:

1. CONSIDERATION.

The OTS, based upon information reported to it, is of the opinion that grounds exist to initiate an administrative civil money penalty assessment proceeding against First Savings Bank pursuant to Section 8(i)(2) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. § 1818(i)(2) (1988 & Supp. I 1989), as amended by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Pub. L. No. 101-73, 103 Stat. 183 ("FIRREA"). First Savings Bank desires to cooperate with OTS and to avoid the time and expense of such administrative litigation and, without admitting or denying that such grounds exist, hereby stipulates and agrees to the following terms in consideration of the forbearance by the OTS from initiating such administrative civil

money penalty assessment proceeding against First Federal with respect to violations of 12 U.S.C. § 1468, and 12 C.F.R. §§ 215.4, 215.7, 563.41(b), 563.161(a), 563.170(c), 563.180(d), and 561.7 as noted in the October 1990 Report of Examination.

2. JURISDICTION.

- (a) First Savings Bank, A Federal Savings Bank, Arlington, 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 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 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(i)(2) (1988 & Supp. I 1989). Upon its issuance by the 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 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 Savings Bank, by a majority of its directors, execute this Stipulation and Consent to Entry of Order of Civil Money Penalty Assessment.

OFFICE OF THRIFT SUPERVISION

First Savings Bank, A Federal Savings Bank
Arlington, Texas

By: _____
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Billy C. Wood
Regional Director
Midwest Regional Office

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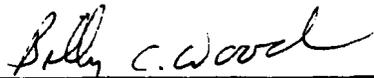
8(i) of the Federal Deposit Insurance Act, 12 U.S.C. § 1818(i) (1988 & Supp. I 1989).

NOW THEREFORE, IT IS ORDERED that:

- (1) First Savings Bank shall pay to OTS a sum of ten thousand dollars (\$10,000), 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 Savings bank shall comply with Paragraph 1 above by December 16, 1991.

OFFICE OF THRIFT SUPERVISION

By:



Billy C. Wood
Regional Director
Midwest Regional Office
Office of Thrift Supervision

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Re: Resolution No.: DAL-91-229

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ORDER OF CIVIL MONEY PENALTY ASSESSMENT

WHEREAS, First Savings Bank, A Federal Savings Bank, ("First Savings Bank") Arlington, 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 Savings Bank, in the Stipulation, has consented to the issuance of this Order of Civil Money Penalty Assessment pursuant to Section 8(1) of the Federal Deposit Insurance Act, 12 U.S.C. § 1818(1) (1988 & Supp. I 1989).

NOW THEREFORE, IT IS ORDERED that:

- (1) First Savings Bank shall pay to OTS a sum of ten thousand dollars (\$10,000), 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 Savings bank shall comply with Paragraph 1 above by December 16, 1991.

OFFICE OF THRIFT SUPERVISION

By: _____

/S/

Billy C. Wood
Regional Director
Midwest Regional Office
Office of Thrift Supervision