

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of) Re: Resolution No. SF-90-003
) Dated: June 11, 1990
Enterprise Savings)
and Loan Association,)
Long Beach, California)

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

The Office of Thrift Supervision ("OTS"), by and through the District Director for the San Francisco District and Enterprise Savings and Loan Association ("Enterprise Savings"), 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 Enterprise Savings pursuant to 12 U.S.C. § 1464(v). Enterprise Savings 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 Enterprise Savings for filing delinquent Thrift Financial Reports seventy-nine percent of the time during 1989, and for the first two months of 1990.

2. Jurisdiction.

(a) Enterprise Savings, located at 304 East Pacific Coast Highway, in Long Beach, California, is a "savings association" within the meaning of Section 3 of the Federal Deposit Insurance Act ("FDIA") and Section 2 of the Home Owners'

Loan Act of 1933, as amended by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183.

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 a savings association. Therefore, Enterprise Savings is subject to the authority of OTS to initiate and maintain the assessment of a civil money penalty pursuant to 12 U.S.C. § 1464(v).

3. Consent.

Enterprise Savings 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 12 U.S.C. § 1464(v). Upon its issuance by the District Director for the San Francisco District, it shall be a final order, effective and fully enforceable by OTS under the provisions of Section 8(i) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1818(i)).

5. Waivers.

Enterprise Savings waives the right to a Notice of Assessment of Civil Money Penalty provided by Section 8(i) of the FDIA, as amended by FIRREA (to be codified at 12 U.S.C. § 1818(i)) and the administrative hearing provided by 12 U.S.C. § 1464(v)(8), and further waives the right to seek judicial review of the Order, including any such right provided by Section 8(h) of the FDIA, as amended

by FIRREA (to be codified at 12 U.S.C. § 1818(h)) or to otherwise challenge the validity of the Order.

6. Other Regulatory Actions.

By executing this Stipulation, the OTS does not relinquish the right to take any additional regulatory actions. Enterprise Savings hereby stipulates that it has not received any oral or written representations from the OTS that the OTS has relinquished any other rights it may have to pursue other regulatory actions.

WHEREFORE, in consideration of the foregoing, the District Director for the San Francisco District on behalf of OTS, and Enterprise Savings execute this Stipulation and Consent to Issuance of Order of Civil Money Penalty Assessment.

OFFICE OF THRIFT SUPERVISION

By:

Michael Patriarca
District Director
San Francisco
District Office

Jesse L. Robinson 6/6/90
Chairman of the Board
Enterprise Savings
and Loan Association

Foster M. Ricardo 6/6/90
Director

Phillip M. Smith, M.D. 6/6/90
Director

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ORDER OF CIVIL MONEY PENALTY ASSESSMENT

WHEREAS, Enterprise Savings and Loan Association ("Enterprise Savings"), through its directors, has executed a Stipulation and Consent to Issuance 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 District Director for the San Francisco District; and

WHEREAS, Enterprise Savings, in the Stipulation, has consented to the issuance of this Order of Civil Money Penalty Assessment pursuant to 12 U.S.C. § 1464(v).

NOW THEREFORE, IT IS ORDERED that within 15 days of the effective date of this Order, Enterprise Savings shall pay to OTS a sum of \$10,000, by tendering a check to OTS in that amount made payable to the Treasurer of the United States.

OFFICE OF THRIFT SUPERVISION

By: 151
Michael Patriarca
District Director
San Francisco
District Office