

UNITED STATES OF AMERICA
Before The
FEDERAL HOME LOAN BANK BOARD

In the Matter of:)
)
CLEMENTE GARCIA, JR.)
)
Director and Former)
Chairman of Board of)
Directors of Padre)
Federal Savings and Loan)
Association,)
Corpus Christi, Texas)
)
)

Re: Enforcement Review
Committee Resolution
No.: ERC 89-102
dated August 8, 1989

STIPULATION AND CONSENT TO ISSUANCE OF
ORDER OF REMOVAL AND PROHIBITION

The Enforcement Review Committee ("ERC"), on behalf of the Federal Home Loan Bank Board ("Bank Board"), and Clemente Garcia, Jr., a director of Padre Federal Savings and Loan Association, Corpus Christi, Texas, ("Padre Federal") agree as follows:

1. Consideration. The Bank Board has issued and properly served a Notice of Intention to Remove and Prohibit and Notice of Hearing to Clemente Garcia, Jr., In re Garza, FHLBB Res. No. 89-1544, June 8, 1989, pursuant to Section 5(d)(4) of the Home Owners' Loan Act of 1933, as amended ("HOLA"), 12 U.S.C. § 1464(d)(4) (1982). Clemente Garcia, Jr. desires to cooperate with the Bank Board and to avoid the time and expense of administrative litigation and, without admitting or denying that

grounds exist therefor, hereby stipulates and agrees to the following terms in consideration of the Bank Board's withdrawal of administrative removal and prohibition litigation against him.

2. Jurisdiction. Padre Federal is a federal savings association chartered by the Bank Board, making it an "association" as that term is used in the HOLA. Clemente Garcia, Jr. as a director of an association, is subject to the Bank Board's authority to initiate and maintain a removal and prohibition proceeding against him pursuant to Section 5(d)(4) of the HOLA, 12 U.S.C. § 1464(d)(4) (1982).

3. Consent. Clemente Garcia, Jr. consents to the issuance by the ERC, on behalf of the Bank Board, of the accompanying Order of Removal and Prohibition ("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 5(d)(4) of the HOLA, 12 U.S.C. § 1464(d)(4) (1982), and upon its issuance shall be an "order which has become final," as defined in Section 5(d)(13)(A)(1) of the HOLA, 12 U.S.C. § 1464(d)(13)(A)(1) (1982).

5. Effectiveness. The Order is effective upon its issuance by the ERC. It is fully enforceable by the Bank Board under the provisions of Section 5(d)(8) of the HOLA, 12 U.S.C. § 1464(d)(8) (1982).

6. Waivers. Clemente Garcia, Jr. waives his right to an administrative hearing in In re Garza provided by Section 5(d)(4) of the HOLA, 12 U.S.C. § 1464(d)(4) (1982), and further waives his right to seek judicial review of the Order, including any such right provided by Section 5(d)(7) of the HOLA, 12 U.S.C. § 1464(d)(7) (1982), or otherwise to challenge the validity of the Order.

WHEREFORE, in consideration of the foregoing, the ERC, on behalf of the Bank Board, and Clemente Garcia, Jr. execute this Stipulation and Consent to Issuance of Order of Removal and Prohibition.

FOR THE FEDERAL HOME LOAN BANK BOARD

1S/
Rosemary Stewart
Director, Office of Enforcement
Secretary, Enforcement
Review Committee

1S/
Clemente Garcia, Jr.

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Before The
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In the Matter of:)	
CLEMENTE GARCIA, JR.)	
Director and Former)	
Chairman of the Board of)	
Directors of Padre)	Re: Enforcement Review
Federal Savings and Loan)	Committee Resolution
Association,)	No.: ERC 89-102
Corpus, Christi, Texas)	dated August 8, 1989

ORDER OF REMOVAL AND PROHIBITION

WHEREAS, Clemente Garcia, Jr. has executed a Stipulation and Consent to Issuance of Order of Removal and Prohibition ("Stipulation"), which is accepted and approved by the Enforcement Review Committee, on behalf of the Federal Home Loan Bank Board ("Bank Board"); and

WHEREAS, Clemente Garcia, Jr., in the Stipulation, has consented and agreed to the issuance of this Order of Removal and Prohibition ("Order") pursuant to Section 5(d)(4) of the Home Owners' Loan Act of 1933, as amended, ("HOLA"), 12 U.S.C. § 1464(d)(4) (1982).

NOW THEREFORE, IT IS ORDERED that:

1. Clemente Garcia, Jr. is removed as a director and is prohibited from further participation, in any manner, in the conduct of the affairs of Padre Federal Savings and Loan Association, Corpus Christi, Texas ("Padre Federal") or any

holding company(ies) or service corporation(s) thereof, including the solicitation or exercise of any voting rights in those entities.

2. Without the prior written approval of the Bank Board, Clemente Garcia, Jr. may not vote for any director or serve or act as a director, officer or employee of any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation or any holding company(ies), subsidiary(ies) or service corporation(s) of such institutions.

3. The Stipulation is made a part hereof and is incorporated by reference herein.

4. This Order is subject to the provisions of Section 5(d)(12) of the HOLA, 12 U.S.C. § 1464(d)(12) (1982), and shall become effective on the date it is issued.

FOR THE FEDERAL HOME LOAN BANK BOARD

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Rosemary Stewart
Director, Office of Enforcement
Secretary, Enforcement Review
Committee

AGREED:

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Clemente Garcia, Jr.

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~~Rene' Rodriguez~~
Attorney for Clemente Garcia, Jr.