

UNITED STATES OF AMERICA
BEFORE THE
OFFICE OF THRIFT SUPERVISION

95297

In the Matter of)
)
Donald R. Stautberg)
)
Former Chairman and President)
of First Ohio Savings Bank,)
FSB, Cincinnati, Ohio)

Resolution No. CIN 91- 36
Dated: October 4, 1991

STIPULATION AND CONSENT TO ISSUANCE
OF ORDER OF PROHIBITION

The Office of Thrift Supervision ("OTS"), by and through its Regional Director for the Central Office, and Donald R. Stautberg former Chairman and President of First Ohio Savings Bank, FSB, Cincinnati, Ohio ("First Ohio") 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 Donald R. Stautberg pursuant to Section 8(e) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C.A. § 1818(e) (West 1989). Donald R. Stautberg desires to cooperate with the OTS and to avoid the time and expense of such administrative litigation and, while neither admitting nor denying that such grounds exist, 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) First Ohio is a "savings association" within the meaning of Section 3 of the FDIA and Section 2 of the Home Owners' Loan Act of 1933. Accordingly, it is an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, 12 U.S.C.A. § 1813(c) (West 1989).

(b) Donald R. Stautberg, as a former Chairman and President of First Ohio is an "institution-affiliated party" as that term is defined in Section 3(u) of the FDIA, 12 U.S.C.A. § 1813(u) (West 1989).

(c) Pursuant to Section 3 of the FDIA, the OTS is the "appropriate Federal banking agency" to maintain enforcement proceedings against such a savings association or its institution-affiliated parties. Therefore, Donald R. Stautberg is subject to the authority of the OTS to initiate and maintain a prohibition proceeding against him pursuant to Section 8(e) and 8(b)(8) of the FDIA, 12 U.S.C.A. § 1818(e) and (b)(8) (West 1989).

3. Consent. Donald R. Stautberg consents to the issuance by the OTS of the accompanying Order of 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 8(e) and 8(b)(8) of the FDIA, 12 U.S.C.A. § 1818(e) and (b)(8) (West 1989). Upon its issuance by the Regional Director for the Central Region, OTS, it shall be a final order, effective and fully enforceable by the OTS under the provisions of Section 8(1) of the FDIA, 12 U.S.C.A. § 1818(1) (West 1989).

5. Waivers. Donald R. Stautberg 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.A. § 1818(e) (West 1989), 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.A. § 1818(h) (West 1989) or otherwise to challenge the validity of the Order.

WHEREFORE, in consideration of the foregoing, the Regional Director for the Central Region, on behalf of the OTS, and Donald R. Stautberg execute this Stipulation and Consent to Issuance of Order of Prohibition.

OFFICE OF THRIFT SUPERVISION

By:

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~~Stuart M. Brafman~~
Regional Director
Central Region

15/
~~Donald R. Stautberg~~

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.A. § 1818(7)(A) (West 1989). Pursuant to Section 8(e)(6) of the FDIA, 12 U.S.C.A. § 1818(e)(6) (West 1989), 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.

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

4. This Order is subject to the provisions of Section 8(j) of the FDIA, 12 U.S.C.A. § 1818(j) (West 1989), and shall become effective on the date it is issued.

THE OFFICE OF THRIFT SUPERVISION

By:

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Stuart M. Brafman
Regional Director
Central Region