

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION,

In the Matter of)
)
American Eagle Savings Bank, PaSa)
Boothwyn, PA)

Order No. NE 98-06
Date: March 31, 1998

STIPULATION AND CONSENT TO THE ISSUANCE OF AN
ORDER OF ASSESSMENT OF CML MONEY PENALTIES

WHEREAS, the Office of Thrift Supervision (“OTS”), based upon information derived from the exercise of its regulatory responsibilities, has informed American Eagle Savings Bank, PaSa, Boothwyn, Pa. (“American Eagle”) that grounds exist to initiate an administrative civil money penalty assessment proceeding against it pursuant to 12 U.S.C. § 1818(i);¹ and

WHEREAS, American Eagle desires to cooperate with the OTS and to avoid the time and expense of such administrative proceeding and, without admitting or denying that such grounds exist, or the Findings of Fact or opinions and conclusions of the OTS, except as to Jurisdiction, paragraph 1, below, which is admitted, hereby stipulates and agrees to the following:

¹ All references to the United States Code (“U.S.C.”) are as amended, unless otherwise indicated.

1. Jurisdiction. (a) American Eagle is a “savings association” within the meaning of 12 U.S.C. § 1813(b) and 12 U.S.C. §1462(4). Accordingly, it is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c); and

(b) Pursuant to 12 U.S.C. § 1813(q), the Director of the OTS is the “appropriate Federal Banking agency” to maintain an administrative civil money penalty assessment proceeding against such a savings association. Therefore, American Eagle is subject to the jurisdiction of the OTS to initiate and maintain a civil money penalty assessment proceeding against it pursuant to 12 U.S.C. § 1818(i). The Director of the OTS has delegated to the Regional Director of the Northeast Region of the OTS or his designee (“Regional Director”) the authority to issue orders of assessment of civil money penalties where the savings association has consented to the issuance of the order.

2. OTS Findings of Fact. The OTS **finds** that American Eagle failed to file the Thrift Financial Report for the quarter ending June 30, 1997 by the filing deadline of July 30, 1997 in violation of 12 U.S.C. 8 1464(v). American Eagle was also late in filing its **TFRs** for the quarters ending **March 31, 1997, December 31, 1996, December 31, 1995, September 30, 1995, June 30, 1995, March 31, 1995, December 31, 1994** and June 30, 1994.

3. Consent. American Eagle consents to the issuance by the OTS of the accompanying Consent Order of Assessment of Civil Money Penalties (“Order”). American Eagle further agrees to comply with the terms of the Order upon issuance and stipulates that the Order complies with all requirements of law.

4. Finality. The Order is issued under 12 U.S.C. §1818(i). Upon its issuance by the Regional Director for the Northeast Region, it shall be a final order, effective and fully enforceable by the OTS under the provisions of 12 U.S.C. §1818(i).

5. Waivers. An Eagle waives the following:

(a) the right to be served with a written notice of assessment of civil money penalties against it as provided by 12 U.S.C. § 1818(i);

(b) the right to an administrative hearing of the OTS's charges against it as provided by 12 U.S.C. §1818(i);

(c) the right to seek judicial review of the Order, including, without limitation, any such right provided by 12 U.S.C. § 1818(h), or otherwise to challenge the validity of the Order; and

(d) any and all claims against the OTS, including its employees and agents, and any other governmental entity for the award of fees, costs or expenses related to this Order, whether arising under common law, the Equal Access to Justice Act, 5 U.S.C. § 504 or 28 U.S.C. § 2412.

6. Miscellaneous. (a) The construction and validity of this Stipulation and the Order shall be governed by the laws of the United States of America;

(b) All references to the OTS in this Stipulation and the Order shall also mean any of the OTS' predecessors, successors, and assigns;

(c) The section and paragraph headings in this Stipulation and the Order are for convenience only, and such headings shall not affect the interpretation of this Stipulation or the Order;

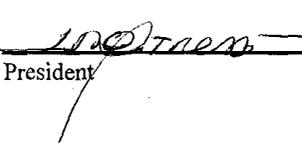
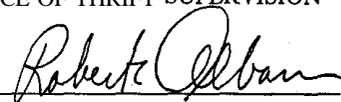
(d) The terms of this Stipulation and the Order represent the final written agreement of the parties with respect to the subject matters hereof, and constitute the sole agreement of the parties with respect to such subject matters; and

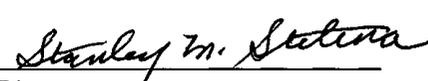
(e) This Stipulation and the Order shall remain in effect until terminated, modified, or suspended in writing by the OTS, acting through its Director, Regional Director, or other authorized representative.

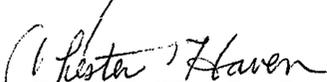
WHEREFORE, American Eagle executes this Stipulation and Consent to the Issuance of an Order of Assessment of Civil Money Penalties, intending to be legally bound hereby.

Accepted by:

AMERICAN EAGLE SAVINGS BANK, PaSA OFFICE OF THRIFT SUPERVISION

By:  President By: 
Robert C. Albanese
Regional Director
Northeast Region

By:  Director By: 
Director

By:  Director By: 
Director

By: James A. Beardsall
Director

By: _____
Director

By: James G. Green
Director

By: _____
Director

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION.

In the Matter of)
)
American Eagle Savings Bank, PaSa)
Boothwyn, PA)
_____)

Order No. *NE 98-06*
Date: *March 31, 1998*

CONSENT ORDER OF ASSESSMENT OF CIVIL MONEY PENALTIES

WHEREAS, American Eagle Savings Bank, PaSa, Boothwyn, PA (“American Eagle”) has executed a Stipulation and Consent to the Issuance of an Order of Assessment of Civil Money Penalties (“Stipulation”); and

WHEREAS, American Eagle by his execution of the Stipulation, has consented and agreed to the issuance of this Consent Order of Assessment of Civil Money Penalties (“Order”) by the Office of Thrift Supervision (“OTS”), acting through the Regional Director for the Northeast Region pursuant to 12 U.S.C. § 1818(i).

NOW THEREFORE, IT IS ORDERED that:

1. Within ten (10) calendar days of the date of this Order, American Eagle shall pay to the Office of Thrift Supervision the sum of \$500.00 by tendering a certified check or bank draft made payable to the order of the Treasurer of the United States. The check or bank draft and a copy of the Order shall be delivered, together with a cover letter stating the name of the association, to the following address: Controller’s Division, Office of Thrift Supervision, 1700 G Street, N.W., Washington, DC 20552. Contemporaneous with said delivery, a copy of

the check or bank draft and the cover letter shall be provided by U.S. Mail to David H. Enzel, Special Counsel, Office of Thrift Supervision, 1700 G Street, N.W., Washington, D.C. 20552.

2. The Stipulation is made a part hereof and is incorporated herein by this reference.
3. This Order is and shall become effective on the date it is issued, as shown in the caption hereof. The Stipulation and the Order shall remain in effect until terminated, modified or suspended in writing by the OTS, acting through its Director, Regional Director, or other authorized representative.

OFFICE OF THRIFT SUPERVISION

By: 
Robert C. Albanese
Regional Director
Northeast Region