

{{10-31-95 p.C-4086}}

[¶11,218] In the Matter of Marna Todd, First State Bank, Mesquite, Texas, Docket No. FDIC-94-194k (8-24-95)

Respondent agrees to pay civil money penalty.

**In the Matter of
JIM LINDSEY, LETITIA PRICE,
BRIGGS TODD, JOHN TODD, and
MARNA TODD individually and as
institution-affiliated parties
of First State Bank, Mesquite, Texas
and
FIRST STATE BANK
MESQUITE, TEXAS
(Insured State Nonmember Bank)
ORDER TO PAY
AS TO MARNA TODD
FDIC-94-194k**

Marna Todd ("Respondent"), has been advised of the right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTIES, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING ("NOTICE OF ASSESSMENT"), issued by the Federal Deposit Insurance Corporation ("FDIC") detailing the violations of law and regulation for which an Order to Pay may be issued against Respondent pursuant to section 8(i)(2) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(i)(2), and has been further advised of the right to a hearing on the alleged charges under section 8(i)(2)(H) of the Act, 12 U.S.C. § 1818(i)(2)(H), and the FDIC Rules of Practice and Procedure, 12 C.F.R. Part 308. Having waived those rights, Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY ("STIPULATION") with a representative of the Legal Division of the FDIC, whereby, solely for the purpose of this proceeding, and without admitting or denying any violations of law or regulation, Respondent consented to the issuance of an Order to Pay. Respondent further consented to pay a civil money penalty in the amount of \$1,000 contemporaneously with the execution of the STIPULATION, and did so.

The FDIC considered the matter and determined it had reason to believe that Respondent had engaged in violations of law and regulation for which a civil money penalty of \$1,000 is appropriate to be assessed against her pursuant to section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2).

The FDIC, therefore, accepted the STIPULATION and issued the following:

ORDER TO PAY

IT IS HEREBY ORDERED that a penalty of \$1,000 be, and hereby is, assessed against Respondent Marna Todd, receipt of which is hereby acknowledged.

IT IS HEREBY ORDERED that, pursuant to section 18(k) of the Act, 12 U.S.C. § 1828(k), Respondent shall neither request nor accept indemnification from First State Bank, Mesquite, Texas ("Bank"), or any person acting on behalf of the Bank, as to the civil money penalty assessed or paid by or for her, or any other cost, fee or obligation incurred by her as a result of this proceeding, {{11-30-99 p.C-4087}} and that the Bank shall neither pay nor agree to pay such civil money penalty to or for Respondent or anyone acting for or on behalf of her, including but not limited to, legal and other fees or costs paid or payable by or for Respondent.

This ORDER TO PAY shall be effective upon issuance.

Dated at Washington, D.C., this 24th day of August, 1995.

Pursuant to delegated authority.