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[¶11,117] **In the Matter of Paul C. Greibel, First Prairie Bank, Blooming Prairie, Minnesota; Bank of Elbow Lake, Elbow Lake, Minnesota; State Bank of Wendell, Wendell, Minnesota, Docket Nos. FDIC-93-42e and 93-43k (1-17-95).**

Respondent prohibited from participating in the conduct of affairs of, or exercising voting rights in, any insured institution without the prior consent of the FDIC and ordered to pay civil money penalty.

**[.1] Prohibition—Participation in Conduct of Affairs**

**[.2] Prohibition—Exercise of Voting Rights**

**[.3] Civil Money Penalty—Indemnification Prohibited**

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**In the Matter of  
PAUL C. GRIEBEL,  
individually, and as an  
institution-affiliated party of  
FIRST PRAIRIE BANK  
BLOOMING PRAIRIE, MINNESOTA,  
(Insured State Nonmember Bank)  
(Now merged into American Bank  
Mankato, Mankato, Minnesota);  
BANK OF ELBOW LAKE  
ELBOW LAKE, MINNESOTA;  
and  
STATE BANK OF WENDELL  
WENDELL, MINNESOTA  
(Insured State Nonmember Banks)  
ORDER OF PROHIBITION FROM  
FURTHER PARTICIPATION AND  
AMENDED ORDER TO PAY  
FDIC-93-42e  
FDIC-93-43k**

Paul C. Greibel ("Respondent") has received a NOTICE OF INTENTION TO REMOVE FROM OFFICE AND/OR PROHIBIT FROM FURTHER PARTICIPATION AND NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTIES, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING ("NOTICE") issued by the Federal Deposit Insurance Corporation ("FDIC") detailing the violations, unsafe or unsound banking practices, and/or breaches of fiduciary duty and assessing a civil money penalty against Respondent in the amount of \$25,000 for which an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION AND ORDER TO PAY may issue, and has been further advised of the right to a hearing on the alleged charges under section 8(e), 8(i) and 18(j) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. §§ 1818(e), 1818(i), and 1928(j) (Supp. I 1989), and the FDIC's Rules of Practice and Procedure, 12 C.F.R. Part 308. Having waived those rights, the Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM FURTHER PARTICIPATION AND AMENDED ORDER TO PAY ("CONSENT AGREEMENT") 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, including violations for which civil money penalties may be assessed, unsafe or unsound banking practices, and/or any breaches of fiduciary duty, Respondent consented to the issuance of an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION AND AMENDED ORDER TO PAY ("ORDER") by the FDIC and consented and agreed to pay a civil money penalty in the amount of \$5,000 to the United States Treasury.

The FDIC considered the matter and determined that the violations, practices and/or breaches of fiduciary duty alleged in the NOTICE demonstrate the Respondent's unfitness to serve as a director, officer, person participating in the conduct of the affairs or as an institution-affiliated party of the Banks, any other insured depository institution, or any other agency or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A).

With respect to the civil money penalty, the FDIC took into account the CONSENT AGREEMENT, the

appropriateness of the penalty with respect to the financial resources and good faith of Respondent, the gravity of the violations by Respondent, the history of previous violations by Respondent, and such other matters as justice requires.

The FDIC, therefore, accepted the CONSENT AGREEMENT and issued the following:

*ORDER OF PROHIBITION FROM FURTHER PARTICIPATION*

[.1] Paul C. Griebel is hereby, without the prior written approval of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e)(7)(D), prohibited from:

(a) participating in any manner in the conduct of the affairs of any financial institution or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A);

[.2] (b) soliciting, procuring, transferring, attempting to transfer, voting, or attempting to vote any proxy, consent or authorization with respect to any voting rights in any financial institution enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A);

(c) violating any voting agreement previously approved by the appropriate Federal banking agency; or

(d) voting for a director, or serving or acting as an institution-affiliated party.

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*AMENDED ORDER TO PAY*

[.3] IT IS HEREBY ORDERED that the ORDER TO PAY issued to Respondent is hereby amended, and Paul C. Griebel shall be assessed and shall pay a civil money penalty in the amount of \$5,000 to the Treasury of the United States on the effective date hereof.

IT IS FURTHER ORDERED that Respondent is prohibited from seeking or accepting indemnification from any insured depository institution (i) for the civil money penalty assessed and paid in this matter, or (ii) for any expenses, including attorneys' fees and disbursements, incurred by Respondent in connection with this matter.

This ORDER will become effective ten days after its issuance. The provision of this ORDER will remain effective and enforceable except to the extent that, and until such time as, any provision of this ORDER shall have been modified, terminated, suspended, or set aside by the FDIC.

Dated at Washington, D.C., this 17th day of January, 1995.

Pursuant to delegated authority.