

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

|                                  |   |              |
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| _____                            | ) |              |
|                                  | ) |              |
| IN THE MATTER OF                 | ) |              |
|                                  | ) |              |
| BANK OF AGRICULTURE AND COMMERCE | ) | ORDER TO PAY |
| STOCKTON, CALIFORNIA             | ) |              |
|                                  | ) |              |
| (INSURED STATE NONMEMBER BANK)   | ) | FDIC-08-406k |
|                                  | ) |              |
| _____                            | ) |              |

Bank of Agriculture and Commerce, Stockton, California ("Bank"), and a representative of the Legal Division of the Federal Deposit Insurance Corporation ("FDIC") executed a Stipulation and Consent to the Issuance of an Order to Pay ("CONSENT AGREEMENT") dated May 26, 2009, whereby the Bank, solely for the purpose of this proceeding and without admitting or denying the charges of unsafe or unsound banking practices for which civil money penalties may be assessed, consented and agreed to pay a civil money penalty in the amount specified below to the Treasury of the United States.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of the Bank, the gravity of the violation by the Bank, the history of previous violations by the Bank, and such other matters as justice may require, the FDIC accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY

IT IS HEREBY ORDERED, that, by reason of the violations set forth in paragraph three of the CONSENT AGREEMENT, a penalty of \$100,000 be, and hereby is, assessed against the Bank. The Bank shall pay the civil money penalty to the Treasury of the United States.

IT IS FURTHER ORDERED, that the Bank is prohibited from seeking or accepting indemnification from any insured depository institution for the civil money penalty assessed and paid in this matter.

This Order to Pay shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 25<sup>th</sup> day of June, 2009.

\_\_\_\_\_/s/\_\_\_\_\_  
Sylvia H. Plunkett  
Associate Director  
Compliance Examination Branch  
Division of Supervision and  
Consumer Protection