FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of **KERWYN L. STEWART, individually, and as an institution-affiliated party of** **FIRST STATE BANK** **SHELTON, NEBRASKA** **(Insured State Nonmember Bank)**	)))))))))))	**ORDER TO PAY** **CIVIL MONEY PENALTY** **FDIC-08-269k**

KERWYN L. STEWART ("Respondent") 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 September 9, 2009, whereby Respondent, solely for the purpose of this proceeding and without admitting or denying any unsafe or unsound banking practice and/or breach of fiduciary duty 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 Respondent, the gravity of the violation by Respondent, the history of previous violations by Respondent, 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 Respondent KERWYN L. STEWART is hereby assessed and shall pay a civil money penalty in the amount of $ 25,000 to the Treasury of the United States.

IT IS FURTHER ORDERED that the Respondent 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 15th day of January, 2010.

/s/
Serena L. Owens
Associate Director
Division of Supervision and Consumer Protection