

{{8-31-93 p.C-3195}}

[¶10,790A] **In the Matter of Roswell J. Atkinson, The Greenville Banking Company, Greenville, Georgia, Docket No. FDIC-92-11k (5-6-93).**

Respondent agrees to pay amended civil money penalty assessed by FDIC.

**In the Matter of
ROSWELL J. ATKINSON,
individually, and as an
institution-affiliated party of
THE GREENVILLE BANKING
COMPANY
GREENVILLE, GEORGIA
(Insured State Nonmember Bank)**

On April 21, 1992, the Federal Deposit Insurance Corporation ("FDIC") issued 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") against Roswell J. Atkinson ("Respondent"), and others, assessing a civil money penalty against the Respondent in the amount of \$5,000.00 for violations of section 22(h) of the Federal Reserve Act, 12 U.S.C. § 375n, and Regulation O of the Board of Governors of the Federal Reserve System, 12 C.F.R. Part 215, promulgated thereunder and made applicable to insured State nonmember banks by section 18(j)(2) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1828(j)(2), and for violations of certain other applicable statutes and regulations.

Following the issuance of the NOTICE OF ASSESSMENT, the Respondent and a representative of the Legal Division of the FDIC executed a STIPULATION AND AGREEMENT TO PAY CIVIL MONEY PENALTY ("STIPULATION"), whereby the Respondent agreed to pay a reduced civil money penalty of \$1,000.00 contingent upon the issuance by the FDIC of an AMENDED ORDER TO PAY ("AMENDED ORDER") reducing the civil money penalty to this amount. The Respondent further agreed to pay such reduced civil money penalty in full within thirty (30) days of the issuance of the AMENDED ORDER. The FDIC has agreed with the Respondent to accept said STIPULATION.

IT IS THEREFORE ORDERED, that the ORDER TO PAY contained in the NOTICE OF ASSESSMENT issued on April 21, 1992, as to Respondent Roswell J. Atkinson be, and hereby is, amended to provide that the Respondent be, and hereby is, assessed a civil money penalty of \$1,000.00.

IT IS FURTHER ORDERED, that the reduced civil money penalty assessed against the Respondent must be paid in full within thirty (30) days of the issuance of this AMENDED ORDER. Should said reduced civil money penalty not be paid by the Respondent within that time frame, the AMENDED ORDER shall become null and void and the original ORDER TO PAY, assessing a civil money penalty of \$5,000.00 against Respondent Roswell J. Atkinson, shall be reinstated.

IT IS FURTHER ORDERED that, pursuant to section 18(k) of the Act, 12 U.S.C. § 1828(k), the Respondent shall not request {{8-31-93 p.C-3196}} or accept indemnification from The Greenville Banking Company, Greenville, Georgia ("Bank"), or any person acting in concert with or on behalf of the Bank, as to the civil money penalty assessed against or paid or payable by or for him, or any other cost, fee or obligation incurred by him as a result of this proceeding, and that the Bank shall not pay or agree to pay such civil money penalty to or for the Respondent or anyone acting for or on behalf of him, including but not limited to, legal and other fees or costs paid or payable by or for the Respondent.

Dated at Washington, D.C., this 6th day of May, 1993.

Pursuant to delegated authority.