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[¶11,743] **In the Matter of James R. Brown, Hardin County Savings Bank, Eldora, Iowa, Docket No. 00-028k (11-9-00)**

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$15,000.

**In the Matter of
JAMES R. BROWN,
individually and as an institution-affiliated party of
HARDIN COUNTY SAVINGS BANK
ELDORA, IOWA
(Insured State Nonmember Bank)
ORDER TO PAY**

FDIC-00-028k

James R. Brown ("Respondent") has been advised of his 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") issued by the Federal Deposit Insurance Corporation ("FDIC"), detailing the violations, unsafe or unsound banking practices, and/or breaches of fiduciary duty for which a FINAL ORDER TO PAY may issue. Respondent has also been advised of the right to a hearing on the alleged charges that would be contained in the NOTICE under section 8(i) and 18(j) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(i) and 1828(j), 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 TO PAY ("CONSENT AGREEMENT") with a representative of the Legal Division of the FDIC, whereby solely for the purpose of resolving this proceeding and without admitting or denying any violations, unsafe or unsound banking practices, and/or any breaches of fiduciary duty, Respondent consented to the issuance of the ORDER TO PAY ("ORDER") by the FDIC and consented and agreed to pay a civil money penalty in the amount of \$15,000 to the United States Treasury.

The FDIC has taken into account the CON-
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SENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of Respondent, the gravity of the violations by Respondent, any 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 TO PAY

IT IS HEREBY ORDERED that Respondent shall be assessed and shall pay a civil money penalty in the amount of \$15,000 by certified or cashier's check made payable to the Treasury of the United States, the receipt of which is hereby acknowledged.

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 provisions 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.

Pursuant to delegated authority.

Dated at Washington, D.C., this 9th day of November, 2000.

Last
Updated legal@fdic.gov
2/20/2005