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{{4-30-91 p.C-815}}

[¶10,180] In the Matter of Dan W. Bowker, Docket No. FDIC-89-144k (2-14-91).

Respondent agrees to payment of civil money penalty of \$1,500.

#### [.1] Civil Money Penalty—Payment Terms

**In The Matter of  
DAN M. BOWKER, individually and as  
an executive officer, and  
THE OLLA STATE BANK  
OLLA, LOUISIANA  
(Insured State Nonmember Bank)  
STIPULATION AND AGREEMENT TO PAY**

Subject to the acceptance of this STIPULATION AND AGREEMENT TO PAY by the Board of Directors of the Federal Deposit Insurance Corporation ("FDIC"), it is hereby stipulated and agreed by and between Dan M. Bowker ("Respondent") and representatives of the Legal Division of FDIC as follows:

WHEREAS, the 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") on September 28, 1989 against Respondent, individually and as an executive officer of The Olla State Bank, Olla, Louisiana, pursuant to section 18(j)(4) of the Federal Deposit Insurance Act, 12 U.S.C. § 1828(j)(4) and the FDIC Rules of Practice and Procedures, 12 C.F.R. Part 308, in the amount of twenty thousand dollars (\$20,000);

WHEREAS, Respondent filed a request for a hearing and an answer with the Executive Secretary of the FDIC pursuant to the FDIC's Rules and Regulations by letter dated October 25, 1989 for the purpose of taking evidence in this matter.

NOW THEREFORE, solely for the purpose of this proceeding, and without admitting or denying any of the allegations set forth in the NOTICE OF ASSESSMENT, the parties hereby stipulate and agree to the following:

[.1] 1. Respondent Dan M. Bowker agrees to pay a civil money penalty in the amount of one thousand five hundred (\$1,500.00) dollars which is due and payable in five installments as follows:

(a) For the first installment. Respondent agrees to pay three hundred dollars (\$300) within ten days of the issuance of an AMENDED ORDER TO PAY ("AMENDED ORDER");

(b) One hundred and eighty two (182) days after the date of the Respondent's first installment payment as required by paragraph 1(a) above, the Respondent {{4-30-91 p.C-816}} agrees to pay a second installment in the amount of three hundred dollars (\$300) and successive installments in the amount of three hundred dollars (\$300) every one hundred eighty two (182) days thereafter until five installments are paid; and

(c) If the Respondent fails to make any installment payment in accordance with this agreement, such failure shall constitute a default, and shall cause the civil money penalty assessed to revert back to the amount of twenty thousand (\$20,000) dollars. Such amount shall be immediately due and payable.

2. In the event the FDIC accepts the STIPULATION and issued the AMENDED ORDER, it is agreed that no action will be taken by the FDIC to enforce said AMENDED ORDER against Respondent in the United States District Court unless the Respondent violates, or is about to violate any provision of the AMENDED ORDER.

3. The parties to this STIPULATION waive:

(a) A hearing for the purpose of taking evidence on the allegations set forth in the NOTICE OF ASSESSMENT, dated September 28, 1989;

(b) The filing of PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW;

(c) A recommended decision by a duly appointed Administrative Law Judge; and

(d) The right to file exceptions and briefs with respect to such recommended decision or any matter referred to in the aforementioned NOTICE OF ASSESSMENT.

Dated this 15th day of November, 1990.

Last Updated 6/6/2003

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