

{{2-28-99 p.C-4664}}

[11,575] **In the Matter of Bank of the West, Walnut Creek, California**, Docket No. 98-102k (12-10-98)

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$9,000.
In the Matter of

**BANK OF THE WEST
WALNUT CREEK, CALIFORNIA
(Insured State Nonmember Bank)
ORDER TO PAY
CIVIL MONEY PENALTY
FDIC-98-102k**

BANK OF THE WEST ("Respondent") has been advised of the right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, 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 for which a civil money penalty may be assessed against Respondent pursuant to section 8(i)(2) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. §1818(i)(2), section 305 of the Home Mortgage Act ("HMDA"), 12 U.S.C. §2804, and section 203.6 of Regulation C of the Board of Governors of the Federal Reserve System, 12 C.F.R. §203.6, and has been further advised of the right to a hearing on the alleged charges under section 8(i) of the Act, 12 U.S.C. §1818(i), 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 ORDER TO PAY CIVIL MONEY PENALTY ("AGREEMENT") with a representative of the Legal Division of the FDIC, whereby solely for the purpose of this proceeding and without admitting or denying any violations, Respondent consented and agreed to pay a civil money penalty in the amount of \$9,000.00, related to its inaccurate submission of the application and loan data for calendar years 1995 and 1996.

The FDIC considered the matter and determined it had reason to believe that the Respondent has engaged or participated in violations of law or regulations for which a civil money penalty of \$9,000.00 is appropriate to be assessed against the Respondent pursuant to section 8(i)(2) of the Act, 12 U.S.C. §1818(i)(2).

The FDIC, therefore, accepted the AGREEMENT and issued the following:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent BANK OF THE WEST be, and hereby is, assessed a civil money penalty of \$9,000.00 pursuant to section 8(i)(2) of the Act, 12 U.S.C. §1818(i)(2), the receipt of which is hereby acknowledged.

Pursuant to delegated authority.

Dated at Washington, D.C., this 10th day of December, 1998.