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[¶12,425**] In the Matter of Bruce F. Cucchiara, Resource Bank, Mandeville, Louisiana**, Docket No. 02-121k (7-8-05).

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

In the Matter of
BRUCE F. CUCCHIARA,
individually and as institution-affiliated party of
RESOURCE BANK
MANDEVILLE, LOUISIANA
(Insured State Nonmember Bank)
ORDER TO PAY A CIVIL MONEY PENALTY

FDIC-02-121k

BRUCE F. CUCCHIARA ("Respondent") has received a NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION and NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING ("NOTICE OF ASSESSMENT") issued by the Federal Deposit Insurance Corporation ("FDIC") on April 8, 2005, assessing a civil money penalty against the Respondent pursuant to section 8(i)(2) of the Act, 12 U.S.C. §1818(i)(2), in the amount of $25,000 for violations of law and regulations, reckless engagement in unsafe or unsound practices and breaches of fiduciary duty, which were part of a pattern of misconduct, that were likely to cause more than a minimal loss to the Bank, and that resulted in pecuniary gain or other benefit to Respondent. Respondent requested a hearing on the civil money penalty assessment.

Respondent and Enforcement Counsel for the FDIC thereafter executed a Stipulation and Consent to the Issuance of an Order to Pay a Civil Money Penalty ("Consent Agreement") whereby solely for the purpose of this proceeding and without admitting or denying any of the allegations in the Notice of Assessment, the Respondent agreed to withdraw his request for hearing on the Notice of Assessment, to waive his right to a hearing on the Notice of Assessment, and consented to the issuance of a final Order to Pay by the FDIC.

The FDIC considered the matter and determined it had reasons to believe that:

As an institution-affiliated party of Resource Bank, Mandeville, Louisiana ("Bank"), Respondent violated law and regulations, recklessly engaged in unsafe or unsound practices and breaches of fiduciary duty, which were part of a pattern of misconduct, that were likely to cause more than a minimal loss to the Bank, and that resulted in pecuniary gain or other benefit to Respondent.

Therefore, after taking into account the CONSENT AGREEMENT, the appropriateness of the civil money penalty with respect to the financial resources and good faith of the Respondent, the gravity of the violations of law and regulations, breaches of fiduciary duty, or unsafe or unsound banking practices by the Respondent, the history of previous violations, breaches of fiduciary duty, or unsafe or unsound banking practices by the Respondent, and such other matters as justice may require, the FDIC accepts the Consent Agreement and issues the following:

ORDER TO PAY A CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that:

(i) by reason of the violations of law and regulations, reckless engagement in unsafe
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or unsound practices and breaches of fiduciary duty, which were part of a pattern of misconduct, that were likely to cause more than a minimal loss to the Bank, and that resulted in pecuniary gain or other benefit to Respondent, a civil money penalty in the amount of FIFTEEN THOUSAND AND NO/100 DOLLARS ($15,000) be, and hereby is, assessed against the Respondent;

(ii) Respondent shall pay the civil money penalty, in its entirety, simultaneously with the execution of this CONSENT AGREEMENT;

(iii) Respondent shall pay the civil money penalty in the form of a certified check made payable to the Treasurer of the United States, pursuant to section 308.118 of the FDIC Rules and Regulations, 12 C.F.R. §308.118;

(iv) Respondent shall forward the civil money penalty to the FDIC at 5100 Poplar Avenue, Suite 1900, Memphis, Tennessee 38137; and

(v) 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 will become final and effective upon its issuance by the FDIC. 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 8th day of July, 2005.