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{{8-31-02 p.C-5478}}

[¶11,936] **In the Matter of Farmers & Merchants Bank, Milford, Nebraska**, Docket No. 01-153k (5-30-02).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$4,000.

**In the Matter of
FARMERS & MERCHANTS BANK,
MILFORD, NEBRASKA
(Insured State Nonmember Bank)
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-01-153k

Farmers & Merchants Bank, Milford, Nebraska, ("Respondent") has been advised of its 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 OF ASSESSMENT") 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) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. §1818(i)(2), section 305 of the Home Mortgage Disclosure Act ("HMDA"), 12 U.S.C. §2804, and section 203.6 of the Regulation C of the Board of Governors of the Federal Reserve System, 12 C.F.R. §203.6, and has been further advised of its right to a hearing on the charges pursuant to section 8(i)(2)(H) of the Act, 12 U.S.C. §1818(i)(2)(H), and the FDIC Rules of Practice and Procedure, 12 C.F.R. Part 308.

Having waived those rights, Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY CIVIL MONEY PENALTY ("CONSENT AGREEMENT") with a representative of the Legal Division of the FDIC, whereby Respondent, solely for the purpose of this proceeding and without admitting or denying any violations of law and/or regulations for which civil money penalties may be assessed, consented to the issuance of an ORDER TO PAY CIVIL MONEY PENALTY ("ORDER") by the FDIC and agreed to pay a civil money penalty in the amount of Four Thousand Dollars (\$4,000.00) to the Treasury of the United States ("Treasury").

The FDIC considered the matter and determined it had reason to believe that the Respondent has engaged or participated in violations of law or regulation for which a civil money penalty of Four Thousand Dollars (\$4,000.00) is appropriate to be assessed against the Respondent.

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent be, and hereby is, assessed a civil money penalty in the amount of Four Thousand Dollars (\$4,000.00) 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 30th day of May, 2002.