

{{10-31-00 p.778.1}}

[¶10,170A] **In the Matter of Andrew McMullen, Jessamine McMullen, and Richard McMullen, The State Bank of Stella, Stella, Nebraska**, Docket No. 89-236k (1-28-91)

Respondents agree to pay civil money penalties assessed by the FDIC.

**In the Matter of
ANDREW MCMULLEN,
JESSAMINE MCMULLEN AND
RICHARD MCMULLEN,
Individually and/or as officers and directors of
THE STATE BANK OF STELLA
STELLA, NEBRASKA
(Insured State Nonmember Bank)
MODIFIED ORDER TO PAY**

FDIC-89-236k

The Federal Deposit Insurance Corporation ("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") on January 5, 1990, against Andrew McMullen, Jessamine McMullen and Richard McMullen ("Respondents") individually and/or as officers and directors of The State Bank of Stella, Stella, Nebraska ("Bank"), assessing a civil money penalty against the Respondents pursuant to section 8(i) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(i) (1982).

Following the issuance of the NOTICE, the Respondents agreed to waive the hearing requested in their Answer to the Notice, and the FDIC and the Respondents agreed to the reduction of the civil money penalties originally assessed against Andrew McMullen, Jessamine McMullen and Richard McMullen.

Upon consideration of the recommendations of the Division of Supervision and the Legal Division, IT IS HEREBY ORDERED, that the ORDER TO PAY in the Notice, issued on January 5, 1990, as to the Respondents, be and hereby is, modified to read as follows:

IT IS HEREBY ORDERED, that a penalty of \$8,000 be, and hereby is, assessed against Andrew McMullen and a penalty of \$5,000 each be, and hereby is, assessed against Jessamine McMullen and Richard McMullen, pursuant to the provisions of section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2), and the FDIC's Rules of Practice and Procedures, 12 C.F.R. Part 308.

The penalty assessed herein is to be paid within sixty (60) days of the date of issuance of this Modified Order to Pay. Checks should be made to the order of the United States Treasury and sent to the Cash Management Office, Federal Deposit Insurance Corporation, 1776 F. St., N.W., Room 652, Washington, D.C. 20429.

Pursuant to delegated authority.

Dated at Washington, D.C., this 28th day of January, 1991.