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{{01-31-05 p.C-12328.1}}

**[¶12,327] In the Matter of Farmers & Merchants Bank, Tomah, Wisconsin,**  
Docket No. 04-143k (11-29-04).

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$2,800.

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

FDIC-04-143k

Farmers & Merchants Bank, Tomah, Wisconsin ("Respondent") and a representative of the Legal Division of the Federal Deposit Insurance Corporation ("FDIC") executed a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY ("CONSENT AGREEMENT") dated August 17, 2004, whereby Respondent, solely for the purpose of this proceeding and without admitting or denying any violation of law for which civil money penalties may be assessed, consented and agreed to pay civil money penalty in the amount specified below to the Treasury of the United States.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of the Respondent, the gravity of the violations by the Respondent, the history of previous violations by the Respondent, and such other matters as justice may require, the FDIC accepts the CONSENT AGREEMENT and issues the following:

**ORDER TO PAY**

IT IS HEREBY ORDERED, that by reason of the violations set forth in paragraph 3 of the CONSENT AGREEMENT, a penalty of \$2,800.00 be, and hereby is, assessed against Respondent. The Respondent shall pay the civil money penalty to the Treasury of the United States.

This ORDER TO PAY shall be effective upon issuance.

Pursuant to delegated authority.

Dated this 29th day of November, 2004.