

[{{1-31-03 p.C-5627}}](#)

[¶11,983] **In the Matter of John C. Atwater, The Union State Bank of Everest, Everest, Kansas,**
Docket No. 02-067k (11-8-02)

Respondent agrees to pay civil money penalty assessed by the FDIC in the amount of \$12,500.

**In the Matter of
JOHN C. ATWATER,
individually, and as an institution-affiliated party of
THE UNION STATE BANK OF EVEREST
EVEREST, KANSAS
(Insured State Nonmember Bank)
ORDER TO PAY CIVIL MONEY PENALTY**

FDIC-02-067k

John C. Atwater ("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 CIVIL MONEY PENALTY ("CONSENT AGREEMENT") whereby Respondent, solely for the purpose of this proceeding and without admitting or denying any violations of law and/or regulations, unsafe or unsound practices, and/or breaches of fiduciary [{{1-31-03 p.C-5628}}](#)

duty, for which civil money penalties may be assessed, consented to the issuance of an ORDER TO PAY CIVIL MONEY PENALTY ("ORDER TO PAY") by the FDIC and agreed to pay a civil money penalty in the amount of \$12,500 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 Respondent, the history of previous violations or lack thereof by Respondent, and such other matters as justice requires, the FDIC accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent is assessed and shall pay a civil money penalty in the amount of \$12,500 to the Treasury of the United States, the receipt of which has been previously acknowledged.

IT IS FURTHER ORDERED that Respondent is prohibited from seeking or accepting indemnification from any insured depository institution, (i) for the civil money penalty assessed and paid in this matter, or (ii) for any expenses, including attorneys' fees and disbursements, incurred by Respondent in connection with this matter.

This ORDER shall be effective upon its issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 8th day of November, 2002.