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{{6-30-94 p.C-1843}}

[¶10,422**] In the Matter of Richard A. Martin, The First Trust and Savings Bank of Watseka, Watseka, Illinois, Docket No. FDIC-90-188e (1-22-92).**

Respondent prohibited from participating in the conduct of affairs of, or exercising voting rights in, any insured institution without the prior consent of the FDIC.

[.1**] Prohibition—Participation in Conduct of Affairs**
[.2**] Prohibition—Exercise of Voting Rights**

In the Matter of
RICHARD A. MARTIN
individually, and as a director
officer, and person participating in
the conduct of the affairs,
THE FIRST TRUST AND SAVINGS
BANK
OF WATSEKA
WATSEKA, ILLINOIS
(Insured State Nonmember Bank)
ORDER OF PROHIBITION
FROM PARTICIPATION
FDIC-90-188e

The Federal Deposit Insurance Corporation ("FDIC"), on October 10, 1990, issued a NOTICE OF INTENTION TO REMOVE FROM OFFICE AND TO PROHIBIT FROM FURTHER PARTICIPATION ("NOTICE") against Richard A. Martin ("Respondent"), individually, and as an officer, director, and participant in the conduct of the affairs of The First Trust and Savings Bank of Watseka, Watseka, Illinois ("Bank"), pursuant to section 8(e)(1) of the Federal Deposit Insurance Act ("Act"), as enacted in both 1982 and 1989, 12 U.S.C. § 1818(e)(1) ((1982) and 12 U.S.C. § 1818(e)(1) (1989).

The Respondent and Counsel for the FDIC thereafter executed a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM PARTICIPATION ("CONSENT AGREEMENT") dated January 8, 1991, whereby, solely for the purpose of this proceeding and without admitting or denying violations of laws, rules, and regulations, breaches of fiduciary duty, or unsafe or unsound banking practices as set forth in the NOTICE, Respondent consented to the issuance of an ORDER OF PROHIBITION FROM PARTICIPATION ("ORDER") by the FDIC.

The FDIC considered the matter and determined that sufficient grounds exist for the issuance of an ORDER under section 8(e) of the Act, as enacted in both 1982 and 1989, 12 U.S.C. § 1818(e) (1982) and 12 U.S.C. § 1818(e) (1989). The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER OF PROHIBITION FROM PARTICIPATION

[.1**]** 1. IT IS HEREBY ORDERED, that the Respondent shall not participate in any manner in the conduct of the affairs of the Bank or any insured depository institution, agency, or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A) (1989), without prior written consent of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e) (7)(D).

[.2**]** 2. IT IS FURTHER ORDERED, that the Respondent shall not solicit, procure, transfer, attempt to transfer, vote, or attempt to vote any proxy, consent, or authorization with respect to any voting rights in the Bank or any insured depository institution, agency, or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A), without the prior written consent of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e)(7)(D).

3. IT IS FURTHER ORDERED, that the Respondent shall not violate any voting agreement with respect to any insured depository institution, agency, or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A), previously approved by the appropriate Federal financial institutions regulatory

agency, without the prior written consent of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e)(7)(D).

4. IT IS FURTHER ORDERED, that the Respondent shall not vote for a director, or serve or act as an institution-affiliated party, as that term is defined in section 3(u) of the {{6-30-94 p.C-1844}}Act, 12 U.S.C. § 1813(u), of the Bank or any insured depository institution, agency, or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e) (7)(a), without the prior written consent of the FDIC and the appropriate Federal Financial institutions regulatory agency, as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e)(7)(D).

This ORDER shall become effective ten days after issuance by the FDIC. The provisions of this ORDER shall 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.

Dates at Washington, D.C., this 22nd day of January, 1992.

Pursuant to delegated authority.