

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

_____)	
In the Matter of)	
)	
RUSSELL C. NELSON, individually,)	
and as an institution-affiliated)	
party of)	ORDER TO PAY
)	
PINEHURST BANK)	FDIC-12-299k
ST. PAUL, MINNESOTA)	
)	
(INSURED STATE NONMEMBER BANK-)	
IN RECEIVERSHIP))	
_____)	

Russell C. Nelson ("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 16, 2012, whereby Respondent, solely for the purpose of this proceeding and without admitting or denying any alleged violation of law and alleged breach of fiduciary duty for which civil money penalties may be assessed, consented and agreed to pay a 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 Respondent, the gravity of the

violation and breach of fiduciary duty by Respondent, the history of any previous violations or breaches of fiduciary duty by 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 violation of law and breach of fiduciary duty set forth in paragraph 2 of the CONSENT AGREEMENT, a penalty of \$7,500 be, and hereby is, assessed against RUSSELL C. NELSON. Respondent shall pay the civil money penalty to the Treasury of the United States.

IT IS FURTHER ORDERED that Respondent is prohibited from seeking or accepting indemnification from any insured depository institution for the civil money penalty assessed and paid in this matter.

This Order to Pay shall be effective upon issuance.

Pursuant to delegated authority.

Dated at Washington, D.C., this 5th day of November, 2012.

/s/

Mark S. Moylan
Acting Associate Director
Division of Risk Management Supervision