

In the Matter of)
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)
Subpoena)
Hasebe Lodin,)
)
)
A former Employee and)
Institution-Affiliated)
Party of)
)
)
First Federal Bank of California,)
)
a Federal Savings Bank,)
)
Santa Monica, California.)
)

OTS Order No.: SF-99-004

Date: May 10, 1999

WHEREAS, the Office of Thrift Supervision ("OTS"), based upon information derived from the exercise of its regulatory responsibilities, has informed Hasbia Lodin ("LODIN"), a former employee of First Federal Bank of California, a FSB, Santa Monica, California ("First Federal"), that the OTS is of the opinion that the grounds exist to initiate prohibition proceedings against LODIN pursuant to 12 U.S.C. § 1818(e);¹ and

'All references in this Stipulation and Consent and the Order of Prohibition are to the U.S.C. as amended.

Hasbia Lodin
Stipulation and Consent

1. Jurisdiction.

(a) First Federal, at all times relevant hereto, was a "savings association" within the meaning of 12 U.S.C. § 1813(b), and Section 2(4) of the Home Owners' Loan Act, 12 U.S.C. § 1462(4). Accordingly, it is an "insured depository institution" as that term is defined in 12 U.S.C. § 1813(c).

(b) LODIN, as a former employee of First Federal is deemed to be an "institution-affiliated party" as that term is defined in 12 U.S.C. § 1813(u) having served in such capacity within six years of the date hereof (see 12 U.S.C. § 1818(i)(3)).

(c) Pursuant to 12 U.S.C. § 1813(q), the Director of the OTS is the "appropriate Federal banking agency" to maintain an enforcement proceeding against institution-affiliated parties. Therefore, LODIN is subject to the authority of the OTS to initiate and maintain prohibition proceedings against her pursuant to 12 U.S.C. § 1818(e).

2. OTS Findings of Fact. The OTS finds that while employed at First Federal, LODIN misused her position as a Client Service representative when she misappropriated 18 First Federal cashier's checks totaling \$73,685.45. As a result of these actions, (1) LODIN engaged in a violation of the law or breached her fiduciary duty of honesty to First Federal; (2) First Federal suffered a financial loss and/or LODIN received a financial benefit or other gain (regardless of whether or not restitution was subsequently made); and (3) the violation of law or breach of fiduciary duty involved personal dishonesty.

Subsequently, LODIN repaid the bank \$33,600.00 in cash and assisted First Federal in recovering other funds totaling \$43,257.48 for a total repayment of \$76,857.48. First Federal has acknowledged that through LODIN's efforts, it has been repaid for the full amount of its loss.

3. Consent. LODIN consents to the issuance by the OTS of the accompanying Order of Prohibition ("Order"). She further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

4. Finality. The Order is issued by the OTS under the authority of 12 U.S.C. § 1818(e). Upon its issuance by the Regional Director or designee for the West Region, OTS, it shall be a final order, effective and fully enforceable by the OTS under the provisions of 12 U.S.C. § 1818(i).

5. Waivers. LODIN waives the following:

(a) the right to be served with a written notice of the OTS's charges against her (referred to as Notice of Intention to Prohibit, see 12 U.S.C. § 1818(e));

(b) the right to an administrative hearing of the OTS's charges against her as provided by 12 U.S.C. § 1818(e);

(c) the right to seek judicial review of the Order, including, without limitation, any such right provided by ~~12 U.S.C. § 1818(h), or otherwise to challenge the validity of~~ the Order;

(d) any and all claims against the OTS, including its employees and agents, and any other governmental entity for the award of fees, costs or expenses related to this OTS enforcement

matter and/or the Order, whether arising under common law, the Equal Access to Justice Act, 5 U.S.C. § 504 or 28 U.S.C. § 2412; and

(e) the right to assert this proceeding, her consent to issuance of the Order, and/or the issuance of the Order, as the basis for a claim of double jeopardy in any pending or future proceeding brought by the United States Department of Justice or any other governmental entity.

6. Other Government Actions Not Affected. LODIN acknowledges and agrees that the consent to the entry of the Orders are for the purposes of resolving this prohibition action only, and does not release, discharge, compromise, settle, dismiss, resolve, or in any way affect any actions, charges against, or liability of LODIN that arise pursuant to this action or otherwise, and that may be or have been brought by any other government entity other than the OTS.

7. Acknowledgment of Criminal Sanctions. LODIN acknowledges that 12 U.S.C. § 1818(j), sets forth criminal penalties for knowing violations of this Order.

WHEREFORE, LODIN executes this Stipulation and Consent to Issuance of an Order of Prohibition intending to be legally bound hereby.

By:

Hasbia Lodin
Hasbia Lodin

Accepted by:

Office of Thrift Supervision

Charles A. Deardorff
Charles A. Deardorff
Regional Director
West Region

Date: 4/27/99

Date: 5/10/99

* * * * *

State of CALIFORNIA)

County of LOS ANGELES)

On this 27th day of APRIL, 1999, before me, the undersigned notary public, personally appeared Hasbia Lodin and acknowledged his execution of the foregoing STIPULATION AND CONSENT TO ISSUANCE OF AN ORDER OF PROHIBITION.

Lucretia R. Bautista
Notary Public

My commission expires:



(lodin proh stip jah/18)

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of)

Hasiba Lodin,)

A former Employee and)
Institution-Affiliated)
Party of)

First Federal Bank of California,)
a Federal Savings Bank,)
Santa Monica, California.)
_____)

OTS Order No.: SF-99-004

Date: May 10, 1999

CONSENT ORDER OF PROHIBITION

WHEREAS, Hasiba Lodin ("LODIN") has executed a Stipulation and Consent to Entry of an Order of Prohibition ("Stipulation") on April 27, 1999; and

WHEREAS, LODIN, by her execution of the Stipulation, has consented and agreed to the issuance of this Order of Prohibition ("Order") by the Office of Thrift Supervision ("OTS"), pursuant to 12 U.S.C. § 1818(e); and

NOW THEREFORE, IT IS ORDERED that:

1. LODIN is prohibited from further participation, in any manner, in the conduct of the affairs of First Federal Bank of California, a Federal Savings Bank ("First Federal"), and any

Hasiba Lodin
Order of Prohibition

successor institution, holding company, subsidiary, and/or service corporation thereof.

2. LODIN is and shall be subject to the statutory prohibitions provided by 12 U.S.C. § 1818(e), except upon the prior written consent of the OTS (acting through its Director or an authorized representative thereof) and any other "appropriate Federal financial institutions regulatory agency," for purposes of 12 U.S.C. § 1818(e)(7)(B)(ii), shall not:

(a) hold any office in, or participate in any manner in the conduct of the affairs of, any institution or agency specified in 12 U.S.C. § 1818(e)(7)(A), including, but not limited to:

(i) any insured depository institution, e.g., savings and loan associations, savings banks, national banks, trust companies, and other banking institutions;

(ii) any institution treated as an insured bank under 12 U.S.C. §§ 1818(b)(3) and 1818(b)(4), or as a savings association under 12 U.S.C. § 1818(b)(9), e.g., subsidiaries and holding companies of banks or savings associations;

(iii) any insured credit union under the Federal Credit Union Act, 12 U.S.C. § 1781 et seq.;

(iv) any institution chartered under the Farm Credit Act of 1971, 12 U.S.C. § 2001 et seq.;

(v) any appropriate Federal depository institution regulatory agency, within the meaning of 12 U.S.C. § 1818(e) (7) (A) (v); and

(vi) the Federal Housing Finance Board and any Federal Home Loan Bank.

(b) solicit, procure, transfer, attempt to transfer, vote, or attempt to vote any proxy, consent, or authorization with respect to any voting rights in any institution described in 12 U.S.C. § 1818(e) (7) (A);

(c) violate any voting agreement previously approved by the "appropriate Federal banking agency" within the meaning of 12 U.S.C. § 1813(q); or

(d) vote for a director, or serve or act as an "institution-affiliated party," as that term is defined at 12 U.S.C. § 1813(u), e.g., a director, officer, employee, controlling stockholder of, or agent for, an insured depository institution.

3. The Stipulation is made a part hereof and is incorporated herein by this reference.

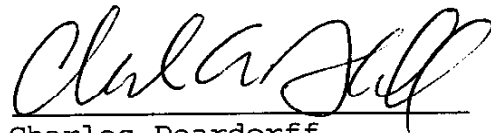
4. This Order is subject to the provisions of 12 U.S.C. § 1818(j).

5. LODIN shall promptly respond to any request from the OTS for documents that the OTS reasonably requests to demonstrate compliance with this Order.

6. This Order is and shall become effective on the date it is issued, as shown in the caption hereof. The Stipulation and the Order shall remain in effect until terminated, modified or suspended, in writing by the OTS, acting through its Director, Regional Director or other authorized representative.

OFFICE OF THRIFT SUPERVISION

By:



Charles Deardorff
Regional Director
West Region

(lodin proh ord jah/18)