

UNITED STATES OF AMERICA
DEPARTMENT OF THE TREASURY
OFFICE OF THE COMPTROLLER OF THE CURRENCY

In the Matter of:)	
)	AA-EC-08-48
)	
Old National Bank,)	
Evansville, Indiana)	

STIPULATION AND CONSENT TO A CIVIL MONEY PENALTY

WHEREAS, the Comptroller of the Currency of the United States of America (“Comptroller”) intends to initiate a civil money penalty proceeding against Old National Bank, Evansville, Indiana (“Bank”), pursuant to 42 U.S.C. § 4012a(f), based on the Bank’s pattern or practice of making, increasing, extending or renewing loans in a special flood hazard area in which flood insurance is available under the National Flood Insurance Act, without (1) notifying the borrowers that their property, which has been pledged as security for a loan from the Bank, is located in a special flood hazard area; and (2) requiring the property securing the loans to be insured by the requisite flood insurance. The Bank’s conduct occurred during the period September 2004 through October 2007, in violation of the Flood Disaster Protection Act, as amended, 42 U.S.C. § 4012a, *et seq.* (“Flood Act”) and 12 C.F.R. §§ 22.3 and 22.9 (“Loans in Areas Having Special Flood Hazards”);

WHEREAS, in the interest of cooperation and to avoid the costs associated with future administrative and judicial proceedings with respect to the above matter, the Bank, without admitting or denying any wrongdoing, desires to enter into this Consent Order

(“Order”);

NOW, THEREFORE, in consideration of the above premises, it is stipulated by and between the Comptroller, through his duly authorized representative, and the Bank that:

Article I

JURISDICTION

(1) The Bank is a national banking association, chartered and examined by the Comptroller, pursuant to the National Bank Act of 1864, as amended, 12 U.S.C. § 1 *et seq.* Accordingly, the Bank is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c)(2) and is a “regulated lending institution” as that term is defined at 42 U.S.C. § 4003(a)(10).

(2) Pursuant to 42 U.S.C. §§ 4003(a)(5) and 4012a(f), the Comptroller is the “appropriate Federal entity for lending regulation” to maintain an enforcement proceeding against the Bank.

Article II

ORDER FOR CIVIL MONEY PENALTY

The Bank hereby consents, and the Comptroller Orders that:

(1) The Bank shall pay a civil money penalty in the amount of fifty-six thousand dollars (\$56,000.00) upon execution of this Order.

(2) The Bank shall make payment in full by check made payable to the National Flood Insurance Program and shall deliver the payment to: Kevin Montgomery,

National Flood Insurance Program, 7700 Hubble Drive, Room N198, Lanham, Maryland 20706.

(3) The Bank shall submit a copy of the check to the Director, Enforcement & Compliance Division, 250 E St., S.W., Washington, DC 20219.

(4) This Order shall be enforceable to the same extent and in the same manner as an effective and outstanding order that has been issued and has become final pursuant to 12 U.S.C. §§ 1818(h) and (i) and 42 U.S.C. § 4012a.

Article III

WAIVERS

(1) By executing this Order, the Bank waives:

- (a) the right to the issuance of a Notice under 12 U.S.C. § 1818(i) and 42 U.S.C. § 4012a(f)(4) and recognizes that the letter dated April 21, 2008, from George Orsino, Acting Assistant Deputy Comptroller for Midsize and Credit Card Bank Supervision, constitutes a valid substitute notice;
- (b) all rights to a hearing and a final agency decision pursuant to 12 U.S.C. § 1818(i), 12 C.F.R. Part 19, and 42 U.S.C. § 4012a(f)(4);
- (c) all rights to seek judicial review of this Order; and
- (d) all rights in any way to contest the validity of this Order.

(2) The Bank declares that no separate promise or inducement of any kind has been made by the Comptroller, his agents or employees to cause or induce the Bank to agree to consent to the issuance of this Order and/or to execute this Order.

IN TESTIMONY WHEREOF, the undersigned, an officer of the Bank duly authorized by the Board of Directors to execute this Order, has hereunto set his hand on behalf of the Bank.

/S/	8/13/08
_____ Dan L. Doan	_____ Date
/S/	8/13/08
_____ Caroline J. Ellspermann	_____ Date
/S/	8/13/08
_____ Dennis P. Heishman	_____ Date
/S/	8/13/08
_____ Annette W. Hudgions	_____ Date
/S/	8/13/08
_____ Robert G. Jones	_____ Date
/S/	8/13/08
_____ Daryl D. Moore	_____ Date
/S/	8/13/08
_____ Allen R. Mounts	_____ Date
/S/	8/13/08
_____ Barbara A. Murphy	_____ Date
/S/	8/13/08
_____ Candice J. Rickard	_____ Date
/S/	8/13/08
_____ James A. Sandgren	_____ Date
/S/	8/13/08
_____ Don A. Schroeder	_____ Date
/S/	8/12/08
_____ Laura S. Wolf	_____ Date
/S/	8/12/08
_____ Christopher A. Wolking	_____ Date