

UNITED STATES OF AMERICA
Before the
OFFICE OF THRIFT SUPERVISION
DEPARTMENT OF THE TREASURY

IN THE MATTER OF

Mark A. Campbell

A Former Vice-President
of ComFed Savings Bank,

Lowell, Massachusetts

Re: OTS Order No. N93-14

Dated: May 13, 1993

STIPULATION AND CONSENT TO ORDER OF PROHIBITION

Respondent, Mark A. Campbell ("Campbell"), a former Vice-President of ComFed Savings Bank, Lowell, Massachusetts ("ComFed"), hereby submits this Consent to Order of Prohibition ("Consent") to the Office of Thrift Supervision of the United States Department of the Treasury ("OTS") in consideration of the OTS' terminating any administrative proceeding, as it involves him, on the matters covered in the accompanying Order of Prohibition ("Order"). The OTS is of the opinion that grounds, as set forth in the Order, exist to pursue an administrative proceeding against Campbell pursuant to Section 8(e) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. § 1818(e) (1989). While neither admitting nor denying that such grounds exist, except those allegations as set forth in paragraph 1 below, which are admitted, Campbell consents to the entry of the attached Order pursuant to Section 8(e) of the FDIA, 12 U.S.C. § 1818(e) (1989).

1. Campbell admits the jurisdiction of the OTS over him, and over the subject matter of this action, pursuant to § 8(e) of the FDIA, 12 U.S.C. § 1818(e) (1989).

2. Campbell consents to the issuance of the accompanying Order, agrees to comply with its terms upon issuance, and stipulates that the Order complies with all requirements of law.

3. Campbell acknowledges and states that he enters into this Consent willingly and without any coercion or promises of any kind from the OTS or any officer, attorney, agent or employee thereof.

4. Campbell hereby waives his rights to a hearing, all post-hearing proceedings, and the entry of findings of fact and conclusions of law under the Administrative Procedure Act ("APA"), 5 U.S.C. §§ 554-557 (1989), under § 8(e)(4) of the FDIA, 12 U.S.C. § 1818(e)(4) (1989), the OTS Rules of Practice and Procedure in Adjudicatory Proceedings, 12 C.F.R. §§ 509.1 (1992) et. seq. and any other applicable provision of law.

5. Campbell hereby waives his right to appeal the Order pursuant to Section 8(h) of the FDIA, 12 U.S.C. § 1818(h) (1989), or any other applicable provision of law.

6. Campbell agrees to cooperate with the OTS, to the extent consistent with his rights under the 5th Amendment of the United States Constitution, by providing truthful and complete

information to the OTS, upon request, concerning matters relating to its investigation of ComFed. This agreement to provide continued cooperation is binding only upon the OTS and Campbell, and specifically does not bar, compromise, or affect in any way any agreement Campbell makes or has made with any other governmental agency.

7. Campbell acknowledges and agrees that the OTS reserves the right to assess a civil money penalty pursuant to § 8(i)(2) of the FDIA, 12 U.S.C. § 1818(i)(2) (1989), in the event Campbell fails to comply with terms of this Consent and the accompanying Order.

8. Campbell acknowledges and agrees that his Consent to the entry of the accompanying Order is for the purpose of resolving this OTS enforcement matter as it relates to Campbell only, and does not resolve, affect, or preclude any other civil or criminal proceeding that may be or has been brought against Campbell by the OTS or another governmental agency.

WHEREFORE, intending to be legally bound thereby, Mark Campbell executes this Consent.

Dated:

/S/

Mark A. Campbell

UNITED STATES OF AMERICA
Before the
OFFICE OF THRIFT SUPERVISION
DEPARTMENT OF THE TREASURY

IN THE MATTER OF)
)

Mark A. Campbell)
)

A Former Vice-President of Comfed)
Savings Bank,)
)

Lowell, Massachusetts)
)

Re: OTS Order No. NE93-14

Dated: May 13, 1993

ORDER OF PROHIBITION

WHEREAS, the Regional Director for the Northeast Region ("Regional Director") of the Office of Thrift Supervision ("OTS"), is of the opinion that Mark A. Campbell ("Campbell"), a former Vice-President of ComFed Savings Bank, Lowell, Massachusetts ("ComFed"), has engaged in conduct that warrants an administrative prohibition;

WHEREAS, Campbell has executed a Stipulation and Consent to Order of Prohibition ("Consent"), which is accepted and approved by the OTS;

WHEREAS, the OTS is of the opinion that Campbell engaged in the following conduct:

(1) On December 31, 1987 ComFed Vice-President Campbell and a partner purchased condominium units from James A. Baldini and

Charles C. McCannon;

(2) In January and February, 1988 ComFed Vice-President Campbell was directly involved in ComFed's extension of four separate loans to purchasers of the condominium units. Campbell and his partner received the proceeds of the four loans from the purchasers of the condominium units;

(3) With ComFed Vice-President Campbell's full knowledge, the four purchasers that received ComFed loans submitted false loan applications to ComFed that made the transactions appear to be owner-occupied refinancings. In fact, and as ComFed Vice-President Campbell knew, the loans were not refinancings and two of the purchasers were not living in the units that were purchased from Campbell; and

(4) As a result of his actions, Campbell repeatedly violated 12 C.F.R. § 563.43(c)(1) (1988), thus demonstrating a continuing disregard for the safety and soundness of ComFed. Campbell also received a personal financial gain from his actions in violation of the cited regulation.

WHEREAS, the OTS is of the opinion that as a result of the aforementioned actions, Campbell has engaged in unsafe and unsound practices, and that the OTS further has grounds to demonstrate that Campbell's misconduct resulted in personal gain to Campbell, and that said conduct evidences his personal dishonesty or his

willful or continuing disregard for ComFed's safety and soundness.
NOW THEREFORE, It is ORDERED that:

1. Without prior written approval of the Regional Director for the OTS Northeast Region, and if appropriate, another federal financial institutions regulatory agency, Campbell may not hold any office in, or participate in any manner in the conduct of the affairs of, any institution or other entity as set forth in Section 8(e)(7)(A) of the FDIA, 12 U.S.C. § 1818(e)(7)(A) (1989). Pursuant to Section 8(e)(6) of the FDIA, 12 U.S.C. § 1818(e)(6) (1989), conduct prohibited by this Order includes, inter alia, the solicitation, transfer, or exercise of any voting rights with respect to any securities issued by an insured depository institution.
2. The Consent is made a part hereof and is incorporated herein by this reference.
3. This Order is subject to the provisions of Section 8(j) of the FDIA, 12 U.S.C. § 1818(j) (1989), and shall become effective on the date it is issued.

The Office of Thrift Supervision

By: /S/
Ange~~x~~o Vigna
Regional Director