

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of:

ELENA LEE, a former officer
of FAMILY SAVINGS BANK, fsb,
Los Angeles, CA,

Respondent.

Order No.: SF-93-017

Date: June 17, 1993

STIPULATION AND CONSENT TO ENTRY
OF ORDER TO CEASE AND DESIST

The Office of Thrift Supervision ("OTS"), by and through its Regional Director for the West Regional Office, and ELENA LEE ("Ms. Lee"), a former officer of FAMILY SAVINGS BANK, fsb, Los Angeles, California ("Family Savings"), stipulate and agree as follows:

1. Consideration

The OTS, based upon information gathered in the supervisory and examination process, is of the opinion that grounds exist to initiate an administrative proceeding against Ms. Lee, pursuant to Section 8(b) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. § 1818(b), as amended by the Financial Institutions Reform, Recovery and Enforcement Act ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183. Ms. Lee desires to cooperate with the OTS and to avoid the time and expense of such an administrative action and, without admitting or denying that such grounds exist, hereby stipulates and agrees to the following terms in consideration of the forbearance of the OTS from initiating such administrative action against Ms. Lee with respect to an alleged conflict of

interest, in violation of 12 C.F.R. § 571.7, while employed as an officer of Family Savings.

2. Jurisdiction

(a) Family Savings, at all times relevant to the allegations set forth herein, was a "savings association" within the meaning of Section 3(b) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1813(b) and Section 2(4) of the Home Owners' Loan Act ("HOLA"), 12 U.S.C. § 1462(4). Accordingly, Family Savings is an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1813(c).

(b) Ms. Lee, at all times relevant to the allegations set forth herein, was an officer of Family Savings and as such was an "institution-affiliated party" as that term is defined in Section 3(u) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1813(u).

(c) Pursuant to Section 3(q) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1813(q), the OTS is the "appropriate Federal banking agency" to maintain an administrative action against such institution-affiliated party. Therefore, Ms. Lee is subject to the authority of the OTS to initiate and maintain a proceeding against her pursuant to Section 8(b) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(b).

3. Consent

(a) Ms. Lee consents to the issuance by the OTS of the Order to Cease and Desist ("Order"), and further agrees to comply with the terms of the Order upon issuance.

(b) The alleged grounds for the proposed administrative action are based upon Ms. Lee's alleged participation in the

approval process of a Family Savings loan for a related party wherein she had an actual or potential, or the appearance of, a conflict of interest which, if proven, would result in a violation of 12 C.F.R. § 571.7.

4. Finality

The Order is issued pursuant to Section 8(b) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(b). Upon the issuance of the Order by the OTS Regional Director for the West Region, it shall be a Final Order, effective and fully enforceable by the OTS under the provisions of Section 8(i) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(i).

5. Waivers

(a) Ms. Lee waives the right to Notice of Charges and the administrative hearing provided by Section 8(b) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(b), and further waives any rights to seek judicial review of the stipulation and/or Order, including any such right provided by Section 8(h) of the FDIA, as amended by FIRREA, 12 U.S.C. § 1818(h), or otherwise challenge the validity of the stipulation and/or Order.

(b) Ms. Lee acknowledges and agrees that this stipulation and Order does not compromise, settle, resolve, dismiss, or in any way affect any civil actions, charges against, or liability of Ms. Lee, that arise pursuant to this action or otherwise, and that may be or have been brought by the Resolution Trust Corporation ("RTC") or any other governmental entity other than the OTS.

(c) Ms. Lee acknowledges and agrees that this proceeding and the consent to the entry of the Order are for the purposes of

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Respondent.)	
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ORDER TO CEASE AND DESIST

WHEREAS, Elena Lee ("Ms. Lee") has executed a Stipulation and Consent to Entry of an Order to Cease and Desist ("Stipulation"), which is incorporated herein by reference as if fully set forth verbatim, which is hereby accepted and approved by the Office of Thrift Supervision ("OTS"), acting through its Regional Director for the West Region; and

WHEREAS, Ms. Lee, in the Stipulation, has consented and agreed to the issuance of an Order to Cease and Desist ("Order") pursuant to Section 8(b) of the Federal Deposit Insurance Act ("FDIA"), as amended by the Financial Institutions Reform, Recovery and Enforcement Act ("FIRREA"), Pub. L. No. 101-73, 103 Stat. 183, 12 U.S.C. § 1818(b).

NOW, THEREFORE, IT IS ORDERED that:

1. As an officer, director or affiliated person of a federally-insured financial institution, Ms. Lee shall not engage in activity, and shall avoid placing herself in a position, which creates, or which leads to or could lead to, a conflict of interest or appearance of a conflict of interest between herself and the employing federally-insured financial institution.

