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

IN THE MATTER OF:)
FIRST CENTRAL BANK, N.A.)
CERRITOS, CALIFORNIA)

STIPULATION AND CONSENT ORDER

WHEREAS, the Comptroller of the Currency of the United States of America (Comptroller) intends to initiate cease and desist and civil money penalty proceedings against First Central Bank, N.A., Cerritos, California (Bank) pursuant to 12 U.S.C. §§ 1818(b) and 1818(i) for violating provisions of the Fair Housing Act, 42 U.S.C. §§ 3601 et seq., the Equal Credit Opportunity Act, 15 U.S.C. §§ 1691 et seq., and Regulation B, 12 C.F.R. Part 202; and

WHEREAS, the Bank neither admits nor denies that it has violated provisions of the Fair Housing Act, the Equal Credit Opportunity Act, or Regulation B;

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 Comptroller and the Bank desire to enter into this Stipulation and Consent Order;

NOW THEREFORE, in consideration of the above premises, the Comptroller, through his authorized representative, and the Bank, through its duly elected and acting Board of Directors (Board), hereby stipulate and agree to the following:

ARTICLE I

(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.

~~(2) The Comptroller is the appropriate Federal banking agency! regarding the~~
Bank within the meaning of 12 U.S.C. §§ 1819(q), **1818(b)** and 1818(i).

(3) The Bank is an “insured depository institution” **within** the meaning of **12 U.S.C. §§1813(c)(2), 1818(b)** and 1818(i).

ARTICLE II

(1) The Bank, without admitting or denying any wrongdoing, hereby consents and agrees to the issuance of **this** Order by **the** Comptroller. The Bank **further** agrees that this Order shall be deemed an “order issued **with the** consent of **the** depository institution” as defined in 12 U.S.C. § 1818(h)(2), and consents and agrees that this Order **shall** become effective upon its issuance and shall be fully enforceable by the **Comptroller under the** provisions of 12 **U.S.C. § 1818(i)**.

(2) The terms of this Order shall bind any successor **in** interest to the **Bank**, including, but not limited to, succession resulting from the Bank’s merger with, or acquisition by, another insured depository institution or bank holding company, until the Comptroller has, in accordance **with** Article V, paragraph 4 of **this** Order, notified **the** Bank or any Successor in interest **that all** claims of aggrieved persons have been satisfied or expired or **the** Order has been amended, suspended, waived, or terminated **in** accordance with Article **X**, paragraph 4 of this Order.

ARTICLE III

(1) The **Bank**, its officers, employees, and agents are permanently enjoined from **discriminating on the** basis of race or national origin against **any** person in **making** available, or **in the terms and conditions** of, a **mortgage** loan **in violation of the Fair Housing Act, 42 U.S.C. § 3605**, the Equal Credit Opportunity Act, **15 USC. § 1691(a)(1)**, or Regulation B, **12 C.F.R. § 202**.

ARTICLE IV

(1) Within three (3) business days after **entry** of this Order, **the** Bank shall deposit four hundred thousand **dollars** (\$400,000) into the First Central Bank Compensation Fund Trust Account ("the Compensation Fund"), to be administered at the direction of the Comptroller in accordance with this Order. The **Bank** shall provide written verification of the deposit of this sum of money into this account to the Comptroller within two (2) business days thereafter. Any interest that may accrue on the **funds** in the Compensation Fund shall become a part thereof.

(2) It is estimated that **this** Compensation **Fund** will be **sufficient** to compensate all identified, aggrieved persons in the amount of ten thousand dollars (\$10,000.00) per applicant.

ARTICLE V

(1) The Comptroller has compiled a list of aggrieved persons and has provided that list to the Bank. **Within** ten (10) days of the entry of the Or&r, the Bank shall submit to **the** Comptroller for **his** approval, a proposed notification letter and release which is to be sent to

all aggrieved persons. The letter, which is to be sent by certified/registered mail, return receipt requested, **within** ten (10) days of being approved by the Comptroller, **shall** notify all persons identified thereon by letter, of this settlement and of their right to receive compensation thereunder,. **The** letter **shall** notify the person of the **Comptroller's** determination **that** he/she may have been discriminated against on the basis of race or national origin **in** connection with an application for a mortgage loan with the Bank, The **letter** shall **further** enclose a copy of **this** Consent Order, a release for them to sign, and a stamped envelope addressed to **the** Bank for them to return the executed release. The letter shall notify each person that he or **she** must return the signed release to the **Bank** no later than sixty (60) days after its receipt. The Bank shall promptly send a copy of each release received pursuant to this Article to the **Comptroller**.

(2) **Thirty (30)** days after the mailing of the initial notification letter, the Bank **shall** notify the Comptroller in writing of those persons for whom it **has not** received a **return** receipt card, The Bank shall make reasonable efforts during the following sixty (60) days to locate such persons, including, but not limited to, placing notices in appropriate newspapers, and shall document those efforts. The Comptroller may also take steps to locate such persons. If, during this **sixty** (60) day period, **the Bank** learns of another mailing address or addresses for such persons, **the** Bank shall again follow the letter notification procedures set forth in paragraph 1 of **this** Article.

(3) The Bank **shall** issue a check in the amount of **\$10,000.00**, drawn against the Compensation Fund, to each aggrieved person identified on the list **referred** to in paragraph 1 of this Article who &livers to **the** Bank an executed release within sixty (60) days after receipt

of a notification letter, whether the person received the letter in ~~the~~ initial mailing made under paragraph 1 of this Article or in one ~~or~~ more subsequent mailing under paragraph 2 of this Article. The Bank shall ~~mail~~ a check by registered/certified mail, return receipt requested, ~~to each aggrieved person within~~ five. (5) ~~business days after~~ receipt of a signed release. The Bank shall ~~confirm~~ the issuance and mailing of all checks in writing to the Comptroller each time a check is mailed,

(4) ~~Sixty (60) days after~~ the mailing of the last notification letters ~~required~~ by paragraphs 1 or 2 of this ~~Article~~, the Bank shall compile and submit to the Comptroller a list of persons whom the Bank has been unable to contact. The Bank shall also include in such submission a description of the Bank's efforts to locate and contact those persons. After receiving and reviewing such submission, the Comptroller shall notify the Bank in writing when all claims have been satisfied or have expired. Upon receipt of ~~that~~ notice, any funds remaining in the Compensation ~~Fund~~ shall be returned to the Bank.

ARTICLE VI

(1) Unless otherwise directed in ~~this~~ Order, all materials to be submitted to ~~the~~ Comptroller in compliance with this Order should be sent to John F. Robinson, Deputy Comptroller, 50 Fremont Street, Suite 3900, San Francisco, California 941052292, with a copy' to Steven J. Vander Wal, Assistant Deputy Comptroller, 1925 Palomar Oaks Way, Suite 202, Carlsbad, California 92008-6526 and a copy ~~to~~ Stephen M. Cross, Deputy ~~Comptroller~~, Community and ~~Consumer~~ Policy, 250 ~~E Street, S. W.~~, Washington, ~~D.C.~~ 20219.

ARTICLE VII

(1) The Bank hereby consents to the payment of a civil money penalty in the amount of twenty-five thousand dollars (**\$25,000**), which shall be paid upon execution of this Stipulation and Consent Order. The Bank shall make payment in full by check made payable to the Treasurer of ~~the~~ United States and shall be delivered ~~to~~: Comptroller of the **Currency**, P.O. Box 73150, Chicago, Illinois **60673-7150**. The charter number of the Bank should be entered on the check.

ARTICLE VIII

(1) This Stipulation and Consent 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), 1818(b), and 1818(i).

ARTICLE IX

- (1) The Bank, **by** signing this Stipulation and Consent, hereby waives:
- (a) the issuance of a Notice of Charges pursuant to 12 **U.S.C. §** 1818(b) and Notice of Assessment of a Civil Money Penalty pursuant to 12 **U.S. C, §** 1818(i)(2);
 - (b) any and **all** procedural rights available in connection with the issuance of the Order, including its rights to a hearing and a **final** agency decision pursuant to 12 **U.S.C. §§** 1818(b) and 1818(i) and 12 C.F.R. Part 19;

- (c) all rights to seek any **type** of administrative or judicial review of the Order;
- (d) any and all rights **to** challenge or contest the validity of the Order; and
- (e) any and **all** claims for **fees** or **expenses** related to this Order against **the** Comptroller, or any of his agents, **whether** arising under common law or under the terms of any statute, including the Equal Access to Justice Act, **5 U.S.C. § 504** and **28 U.S.C. § 2412**.

ARTICLE X

(1) In executing this Order, **the** Board expressly recognizes that it has the ultimate responsibility for compliance with the Order and for compliance with the Fair Housing Act, the Equal Credit Opportunity Act, and Regulation B.

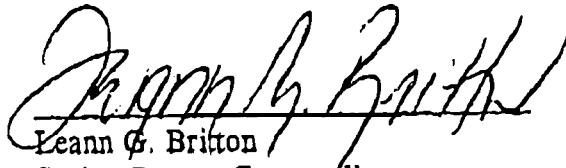
(2) This Order settles only the violations of **the** Fair Housing Act **and** the Equal Credit Opportunity Act which were cited by the OCC in its 1997 fair lending examination of the Bank, and it is expressly agreed **that** any further enforcement actions based on the 1997 fair lending examination of **the** Bank are precluded. It is expressly and clearly understood that if, at any time, the Comptroller deems it appropriate **in** fulfilling the responsibilities placed upon him by the several laws of the United States of America to undertake any action affecting the Bank or any institution-affiliated party of the Bank, nothing in this Order shall in any way inhibit, **estop**, bar or otherwise prevent the Comptroller from so doing.

(3) Any time limitations imposed by this Order shall begin to run from the effective

date of this Order, which is the date this Order is executed by the Senior Deputy Comptroller for Bank Supervision Operations. **Such time** limitations may be extended by the Senior Deputy Comptroller for Bank Supervision Operations for good cause upon **written application** by the Board.

(4) The provisions of this Order shall remain effective and enforceable, except to the **extent** that, **and until** such time as, any provisions of this **Order shall** have been **amended** by mutual consent of the parties or suspended, waived, or terminated by the Comptroller.

IN **TESTIMONY** WHEREOF, the undersigned, authorized by the Comptroller as his representative, has hereunto set her hand on behalf of the Comptroller.



Leann G. Britton
Senior Deputy **Comptroller**
for **Bank** Supervision Operations

2-12-99
Date

IN TESTIMONY WHEREOF, the undersigned, as the duly elected and acting Board of Directors of the Bank, have hereunto set their hands on behalf of the Bank this 29 day of

January, 1999.

