

**UNITED STATES OF AMERICA**

**NATIONAL CREDIT UNION ADMINISTRATION**

**NATIONAL CREDIT UNION ADMINISTRATION BOARD**

<p>In the Matter of</p> <p>EUGENE FORINGER,</p> <p>Former Chairman of the Supervisory Committee, Jessop Employees FCU Washington, Pennsylvania.</p>	<p>Docket No. 98-0604-II</p>
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**ORDER OF PROHIBITION AND**

**TO CEASE AND DESIST WITH RESTITUION**

**WHEREAS**, Eugene Foringer executed a Stipulation and Consent to Issuance of an Order of Prohibition and to Cease and Desist with Restitution ("Stipulation"), and agreed and consented to the issuance of this Order of Prohibition and to Cease and Desist with Restitution ("Order"), pursuant to Section 206(g) of the Federal Credit Union Act ("FCUA"), 12 U.S.C. § 1786(g), and Part 747 of the National Credit Union Administration Rules and Regulations ("Rules"), 12 C.F.R. § 747, *et seq.*; and

**WHEREAS**, pursuant to the FCUA and the Rules, the National Credit Union Administration Board ("NCUAB") has authority to issue a final Order where the Respondent consents to the issuance of such an Order.

**NOW THEREFORE**, the NCUAB issues this Order and prohibits Eugene Foringer from participating in any manner in the conduct of the affairs of any federally insured credit union, and from continuing or commencing to hold any office, or participate in any manner, in the conduct of the affairs of any other institution or agency set forth in Section 206(g)(7) of the FCUA, 12 U.S.C. § 1786(g)(7).

**FURTHERMORE**, this Order requires Eugene Foringer to cease and desist from violating relevant laws and regulations, or engaging in any unsafe or unsound practice regarding the affairs of any federally insured credit union, or any other institution or agency set forth in Section 206(g)(7) of the FCUA, 12 U.S.C. § 1786(g)(7), and to pay restitution in the amount of \$6,500.

**FURTHERMORE**, all technical words or terms used in this Order have meanings defined in the FCUA, the Rules, Title 12 of the United States Code, and any such words or terms undefined in the foregoing have meanings that accord with the best customs and usage in the credit union industry.

**FURTHERMORE**, this Order incorporates by reference the Stipulation, and is effective on its date of issuance.

**NATIONAL CREDIT UNION ADMINISTRATION BOARD**

By: \_\_\_\_\_

Becky Baker, Secretary to the Board

Dated: \_\_\_\_\_

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**STIPULATION AND CONSENT**

**TO ISSUANCE OF AN ORDER OF PROHIBITION**

**AND TO CEASE AND DESIST WITH RESTITUTION**

Eugene Foringer, former Chairman of the Supervisory Committee of Jessop Employees Federal Credit Union, Washington, Pennsylvania ("Jessop"), and the National Credit Union Administration Board ("NCUAB"), acting by and through its Counsel, hereby make this Stipulation and Consent to Issuance of an Order of Prohibition and to Cease and Desist with Restitution ("Stipulation").

Eugene Foringer and the NCUAB hereby stipulate and agree as follows:

1. Consideration. The NCUAB is of the opinion that grounds exist to initiate an administrative prohibition and a cease and desist action against Eugene Foringer pursuant to Sections 206(g) and (e) of the Federal Credit Union Act ("FCUA"), 12 U.S.C. §§ 1786(g) and (e). Eugene Foringer, without admitting or denying that said grounds exist (except those set forth as to Jurisdiction in paragraph 2), desires to avoid the time, cost and expense of administrative litigation. Accordingly, Eugene Foringer consents to the issuance by NCUAB of an Order of Prohibition and to Cease and Desist with Restitution ("Order") in consideration of the settlement, compromise and resolution of all potential administrative claims and charges that have been or might be asserted by NCUAB against Eugene Foringer arising out of his position with Jessop.

2. Jurisdiction. Pursuant to its authority under Section 206 of the FCUA, 12 U.S.C. §1786, the NCUAB is the appropriate Federal agency to maintain an administrative action against an "institution-affiliated party." Eugene Foringer is an "institution-affiliated party" within the

meaning of Section 206(r) of the FCUA, 12 U.S.C. §1786(r). Accordingly, Eugene Foringer admits the jurisdiction of the NCUAB over him and over the subject matter of this action

3. Finality. Eugene Foringer consents to the issuance of the Order, and agrees to comply with all of its terms. The Order complies with all requirements of law, and issues pursuant to Section 206 of the FCUA, 12 U.S.C. §1786. Upon its issuance, the Order is final, effective and fully enforceable by the NCUAB. The laws of the United States of America govern the construction and validity of this Stipulation and the Order, and the section and paragraph headings do not affect the interpretation of this Stipulation or the Order.

4. Waivers. Eugene Foringer waives his right to an administrative hearing provided by Section 206(g)(4) of the FCUA, 12 U.S.C. §1786(g)(4). Eugene Foringer further waives his right to seek judicial review of the Order, or otherwise challenge the validity or legality of the Order.

5. Other Actions. Pursuant to this Stipulation, Eugene Foringer hereby agrees that the Order is solely for the purpose of settling and resolving NCUAB's claims against him, as provided by paragraph 1 of this Stipulation, and does not release, discharge, compromise, settle, dismiss, resolve, or in any way affect any actions, claims, charges against, or liabilities that arise in connection with his former or current affiliations with Jessop, or any affiliate thereof, and that may be or have been brought by any other Federal or state government agency or entity other than the NCUAB.

**WHEREFORE**, in consideration of the foregoing, Eugene Foringer and the National Credit Union Administration Board execute this Stipulation and Consent to the Issuance of an Order of Prohibition.

Eugene Foringer Date

**NATIONAL CREDIT UNION ADMINISTRATION BOARD**

Gerard S. Poliquin Date  
Office of General Counsel