## UNITED STATES OF AMERICA NATIONAL CREDIT UNION ADMINISTRATION Alexandria, Virginia

In the Matter of	)	
PATRICIA A. RUSSELL Institution Affiliated Party of	)	NCUA Docket No. 08-00011-R III
FIRST KINGSPORT CREDIT UNION Kingsport, Tennessee	) ) )	

### **FINAL ORDER OF PROHIBITION**

WHEREAS respondent PATRICIA A. RUSSELL ("RUSSELL"), former loan officer and Visa coordinator for First Kingsport Credit Union (charter #68138) located in Kingsport,

Tennessee, was an "institution-affiliated party" of that credit union, as defined by 12 U.S.C.

§1786(r);

WHEREAS RUSSELL, without admitting any fault or liability, has executed a "Stipulation and Consent" to a final order of the NCUA Board, pursuant to 12 U.S.C. §1786(g), permanently barring her from participating in the affairs of any federally-insured financial institution, which "Stipulation and Consent" has been accepted on behalf of the NCUA Board by its counsel;

WHEREAS RUSSELL has waived her right to an administrative hearing as provided in 12 U.S.C. §1786(g)(4), and has further waived her right to seek judicial review of this Final Order of Prohibition or to otherwise challenge its validity or legality; and

WHEREAS the NCUA Board finds that RUSSELL's service to or participation in the conduct of the affairs of a federally-insured credit union may pose a threat to the interests of the members of such credit union or may threaten to impair public confidence in such credit union; and

WHEREAS the NCUA Board has delegated authority to its Regional Directors to issue a Final Order of Prohibition on its behalf when a respondent has consented to issuance of such an Order.

#### NOW, THEREFORE, IT IS HEREBY ORDERED that:

- 1. RUSSELL is prohibited 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 insured depository institution; any institution treated as an insured bank under 12 U.S.C. §1818(b)(3) or (4), or as a savings association under 12 U.S.C. §1818(b)(8); any insured institution chartered under 12 U.S.C. §2001 et seq.; any appropriate Federal depository institution regulatory agency; the Federal Housing Finance Board and any Federal home loan bank; and the Resolution Trust Corporation. See 12 U.S.C. §1786(g)(7)(A);
- 2. The "Stipulation and Consent" to issuance of this Final Order is made a part hereof and is incorporated herein by reference; and

3. This Final Order of Prohibition shall be effective and enforceable on the date of set forth below.

IT IS SO ORDERED this 24 day of April 2008.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

ALONZO SWANN

Regional Director NCUA Region III

#### **CERTIFICATE OF SERVICE**

I hereby certify that on this 2812 day of April 2008, I caused one copy of the foregoing "Final Order of Prohibition" and attached "Stipulation and Consent" to be served by U.S. Mail, certified return receipt requested, upon:

Patricia A. Russell 417 Gibbs Road Kingsport, TN 37645

Steven W. Widerman

Trial Attorney

Office of General Counsel

# UNITED STATES OF AMERICA NATIONAL CREDIT UNION ADMINISTRATION Alexandria, Virginia

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### STIPULATION AND CONSENT TO FINAL ORDER OF PROHIBITION

The National Credit Union Administration Board ("NCUA Board") and respondent PATRICIA A. RUSSELL ("RUSSELL") hereby stipulate and consent as follows:

1. <u>Consideration</u>. The NCUA Board has determined that grounds exist to initiate an administrative proceeding against RUSSELL seeking an Order of Prohibition barring her from participating in the affairs of any federally-insured financial institution, pursuant to 12 U.S.C. § 1786(g)(1) and (7), and requiring her to pay restitution and a civil money penalty, pursuant to 12 U.S.C. §1786(e)(3). *See also* 12 U.S.C. §1829(a). RUSSELL wishes to cooperate with the NCUA to avoid the time and expense of prospective administrative litigation. Accordingly, in consideration for NCUA's forbearance from conducting a formal investigation, initiating further administrative proceedings against her, and seeking restitution and a civil money penalty from her, RUSSELL hereby stipulates and consents to issuance of a Final Order of the NCUA Board

permanently barring her from participating in the affairs of any federally-insured financial institution.

- 2. **Jurisdiction.** RUSSELL is an "institution-affiliated party" as defined by 12 U.S.C. § 1786(r)(1), in that she was employed as a Loan Officer and Visa Coordinator by First Kingsport Credit Union of Kingsport, Tennessee, an insured credit union as defined by 12 U.S.C. §1752(7). Pursuant to 12 U.S.C. §1786(e)-(g) and 12 C.F.R. §747.00 et seq., the NCUA Board is authorized to maintain administrative enforcement proceedings against an institution-affiliated party of an insured credit union. Accordingly, RUSSELL is subject to the authority and jurisdiction of the NCUA Board to initiate and maintain an administrative proceeding seeking a Final Order of Prohibition against her.
- 3. <u>Consent.</u> Without admitting any fault or liability, RUSSELL consents to issuance by the NCUA Board of a Final Order of Prohibition permanently barring her from participating in the affairs of any federally-insured financial institution. RUSSELL stipulates that the Final Order is lawful and agrees to comply with its terms upon issuance.
- 4. <u>Waivers.</u> RUSSELL waives her right to an administrative hearing as provided in 12 U.S.C. §§1786(e)(1) and (g)(4), and further waives her right to seek judicial review of the Final Order or otherwise to challenge its validity or legality.
- 5. **Finality.** The Final Order is issued pursuant to 12 U.S.C. §1786(e). Upon issuance by the NCUA Board, the Final Order shall be final and unappealable, and effective and fully enforceable by the NCUA Board.

WHEREFORE, in consideration of the foregoing, RUSSELL and the NCUA Board, by and through its counsel, hereby execute this "Stipulation and Consent to Final Order of Prohibition" dated as of April 14, 2008.

PATRICIA A. RUSSELL

417 Gibbs Road

Kingsport, TN 37660-1415

NATIONAL CREDIT UNION ADMINISTRATION BOARD

Bv:

STEVEN W. WIDERMAN

Trial Attorney

Office of General Counsel