

UNITED STATES OF AMERICA  
Before The  
OFFICE OF THRIFT SUPERVISION

In the Matter of:

JEANA DICKERSON,

Former Employee and  
Institution-Affiliated Party  
of:

GUARANTY FEDERAL BANK  
DALLAS, TEXAS

RE: OTS Order No. DAL-94-13

Dated: May 4, 1994

STIPULATION AND CONSENT TO ENTRY OF AN ORDER  
OF PROHIBITION AND ORDER TO CEASE AND  
DESIST FOR AFFIRMATIVE RELIEF

WHEREAS, the Office of Thrift Supervision ("OTS"), based upon information derived from the exercise of its regulatory responsibilities, has informed Jeana Dickerson ("DICKERSON"), former employee and institution-affiliated party of Guaranty Federal Bank, Dallas, Texas, ("Guaranty Federal" or the "Institution") that the OTS is of the opinion that grounds exist to initiate administrative cease and desist and prohibition proceedings against DICKERSON pursuant to Sections 8(b) and 8(e) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. §§ 1818(b)(6)(A)(i) and (e).<sup>1</sup>

WHEREAS, DICKERSON desires to cooperate with the OTS to avoid the time and expense of such administrative litigation and, without admitting or denying that such grounds exist, but admitting the statements and conclusions in Paragraph 1 below,

1. All references in this Stipulation and Consent and the Order of Prohibition to the U.S.C. are as amended.

DICKERSON hereby stipulates and agrees to the following terms of this STIPULATION AND CONSENT TO ENTRY OF AN ORDER OF PROHIBITION AND ORDER TO CEASE AND DESIST FOR AFFIRMATIVE RELIEF ("Stipulation") and to the issuance of the attached ORDER OF PROHIBITION AND ORDER TO CEASE AND DESIST FOR AFFIRMATIVE RELIEF ("Orders"), in consideration of the agreement of the OTS to forbear from initiating any other civil or administrative proceeding against DICKERSON arising out of DICKERSON's actions, known or discovered by the OTS prior to the issuance of the attached Orders:

1. Jurisdiction.

(a) Guaranty Federal, at all times relevant hereto, was a "savings association" within the meaning of Section 3(b) of the FDIA, 12 U.S.C. § 1813(b), and Section 2(4) of the Home Owners' Loan Act ("HOLA"), 12 U.S.C. § 1462(4). Accordingly, Guaranty Federal was an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, 12 U.S.C. § 1813(c).

(b) DICKERSON, as a former employee of Guaranty Federal, is deemed to be an "institution-affiliated party" as that term is defined in Section 3(u) of the FDIA, 12 U.S.C. § 1813(u), having served in such capacity within six (6) years of the date hereof (see 12 U.S.C. § 1818(i)(3)).

(c) Pursuant to Section 3(q) of the FDIA, 12 U.S.C. §1813(q), the OTS is the "appropriate Federal banking agency"

with jurisdiction to maintain an enforcement proceeding against institution-affiliated parties. Therefore, DICKERSON is subject to the authority of the OTS to initiate and maintain cease and desist, and prohibition proceedings against her pursuant to Sections 8(b) and 8(e) of the FDIA, 12 U.S.C. §§ 1818(b) and (e).

2. OTS Findings of Fact. The OTS finds that on or about three separate dates, DICKERSON, without authorization and while she was an employee of Guaranty Federal, misapplied a total of \$3,528.00 of Guaranty Federal funds to her use: \$1,100.00 on August 28, 1993; \$1,500.00 on November 9, 1993; and \$928.00 also on November 9, 1993. As a result of her actions, DICKERSON (1) engaged in a violation of the law or breached his fiduciary duty of honesty to Guaranty Federal; and (2) Guaranty Federal suffered a financial loss or she received a financial benefit or other gain; and (3) the violation of law or breach of fiduciary duty involved personal dishonesty on her part.

3. Consent. DICKERSON consents to the issuance by the OTS of the accompanying Order of Prohibition and Order to Cease and Desist for Affirmative Relief. She further agrees to comply with its terms upon issuance and stipulates that the Orders comply with all requirements of law.

4. Finality. The Orders are issued by the OTS under the

authority of Sections 8(b) and 8(e) of the FDIA, 12 U.S.C. §§ 1818(b) and (e). Upon their issuance by the Regional Director or designee for the Midwest Region, OTS, they shall be final orders, effective and fully enforceable by the OTS under the provisions of Section 8(i) of the FDIA, 12 U.S.C. § 1818(i).

5. Waivers. DICKERSON waives the following:

(a) the right to be served with a written notice of the OTS's charges against her (see Sections 8(b) and (e) of the FDIA);

(b) the right to an administrative hearing of the OTS's charges against her (see Sections 8(b) and (e) of the FDIA); and

(c) the right to seek judicial review of the Order, including, without limitation, any such right provided by Section 8(h) of the FDIA, 12 U.S.C. § 1818(h), or otherwise to challenge the validity of the Order.

6. Indemnification. DICKERSON shall neither cause nor permit Guaranty Federal (or any successor institution, holding company, subsidiary or service corporation thereof) to incur, directly or indirectly, any expense for any legal (or other professional expenses) incurred relative to the negotiation and issuance of the Order of Prohibition and Order to Cease and Desist for Affirmative Relief, nor obtain any indemnification (or other reimbursement) from the Institution (or any successor institution, holding company, subsidiary or service corporation

thereof) with respect to such amounts. Any such payments received by or on behalf of Guaranty Federal in connection with this action shall be returned to Guaranty Federal (or the successor institution, holding company, subsidiary or service corporation thereof).

**7. Other Government Actions Not Affected.**

(a) DICKERSON acknowledges and agrees that the consent to the entry of the Orders is for the purpose of resolving this prohibition and cease and desist action only, and does not release, discharge, compromise, settle, dismiss, resolve, or in any way affect any actions, charges against, or liability of DICKERSON that arise pursuant to this action or otherwise, and that may be or have been brought by any other government entity other than the OTS.

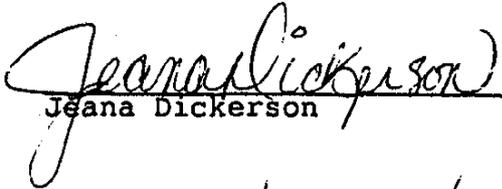
(b) By signing this Stipulation and Consent to Entry of an Order of Prohibition and Order to Cease and Desist for Affirmative Relief, DICKERSON agrees that she will not assert this proceeding, her consent to the entry of the Orders, and/or the entry of the Orders, as the basis for a claim of double jeopardy in any pending or future proceeding brought by the United States Department of Justice or any other federal or state governmental entity.

**8. Acknowledgment of Criminal Sanctions.** DICKERSON acknowledges that Section 8(j) of the FDIA, 12 U.S.C. §1818(j), sets forth criminal penalties for knowing violations of the Order.

Jeana Dickerson  
Stipulation and Consent  
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WHEREFORE, DICKERSON executes this Stipulation and Consent to Entry of an Order of Prohibition and Order to Cease and Desist for Affirmative Relief, intending to be legally bound hereby.

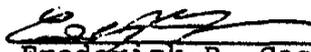
By:

  
\_\_\_\_\_  
Jeana Dickerson

Dated:

4-25-94

Accepted by:  
Office of Thrift Supervision

  
\_\_\_\_\_  
Frederick R. Casteel  
Midwest Regional Director  
David E. Bradley  
Midwest Regional Deputy Director

Dated:

May 4, 1994

UNITED STATES OF AMERICA  
Before The  
OFFICE OF THRIFT SUPERVISION

In the Matter of:

JEANA DICKERSON,

Former Employee and  
Institution-Affiliated Party  
of:

GUARANTY FEDERAL BANK  
DALLAS, TEXAS

RE: OTS Order No. DAL-94-13

Dated: May 4, 1994

ORDER OF PROHIBITION AND ORDER  
TO CEASE AND DESIST FOR AFFIRMATIVE RELIEF

WHEREAS, Jeana Dickerson ("DICKERSON") has executed a Stipulation and Consent to Entry of an Order of Prohibition and Order to Cease and Desist for Affirmative Relief ("Stipulation") on April 25 \_\_\_\_\_, 1994; and

WHEREAS, DICKERSON by her execution of the Stipulation, has consented and agreed to the issuance of this Order of Prohibition and Order to Cease and Desist for Affirmative Relief ("Orders") by the Office of Thrift Supervision ("OTS"), pursuant to Sections 8(b) and 8(e) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. §§1818(b) and (e).

NOW THEREFORE, IT IS ORDERED that:

ORDER OF PROHIBITION

1. DICKERSON is prohibited from further participation, in any manner, in the conduct of the affairs of Guaranty Federal Bank, Dallas, Texas, and any successor institution, holding company, subsidiary, and/or service corporation thereof.

2. DICKERSON shall not hold any office in, or participate in any manner in the conduct of the affairs of any Federally regulated depository institution or any of the other entities that are described in Section 8(e)(7)(A) of the FDIA, 12 U.S.C. §1818(e)(7)(A), without the prior written approval of OTS (acting through its Director or an authorized representative thereof) and, the "appropriate Federal financial institutions regulatory agency" for the Federally regulated depository institution which is involved. Due to the operation of Section 8(e)(6) of the FDIA, 12 U.S.C. §1818(e)(6), conduct prohibited by this Order, without the said prior written approval of the OTS and the "appropriate Federal banking agency", also includes, without limitation: (1) soliciting, procuring, transferring, attempting to transfer, voting, or the attempting to vote any proxy, consent, or authorization with respect to any voting rights in any institution described in Section 8(e)(7)(A) of the FDIA, 12 U.S.C. §1818(e)(7)(A); and (2) voting for a director, or serving as an institution-affiliated party.

3. The Stipulation is made a part hereof and is incorporated herein by this reference.

4. This Order is subject to the provisions of Section 8(j) of the FDIA, 12 U.S.C. §1818(j), and shall become effective on the date it is issued, as shown in the caption above.

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5. DICKERSON shall promptly respond to any request from the OTS for documents that the OTS reasonably requests to demonstrate compliance with this Order.

**ORDER TO CEASE AND DESIST FOR AFFIRMATIVE RELIEF**

6. DICKERSON shall pay restitution to Guaranty Federal in the amount of \$3,528.00.

7. All payments should be made by certified check or money order, made payable to Guaranty Federal, and forwarded to the OTS Midwest Regional Director by U.S. Mail at:

Mr. Frederick Casteel  
Midwest Regional Director  
OFFICE OF THRIFT SUPERVISION  
P. O. Box 619027  
Dallas/Ft. Worth, Texas 75261-9027

8. DICKERSON shall promptly respond to any request from the OTS for documents that the OTS reasonably requests to demonstrate compliance with this Order.

THE OFFICE OF THRIFT SUPERVISION  
By:

  
\_\_\_\_\_  
David E. Bradley  
Midwest Regional Deputy Director