

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
NATIONAL CREDIT UNION ADMINISTRATION BOARD**

IN THE MATTER OF)
)
MARILYN J. PERKINS)
) No. 93-0901 VI_
An Institution Affiliated Party and)
Person Participating in the Affairs of)
the EVERGREEN FEDERAL CREDIT UNION)
)

ORDER OF PROHIBITION

Pursuant to Section 206(i)(1) of the Federal Credit Union Act, 12 U.S.C. §1786(i)(1), you are hereby notified that you are prohibited from participating in any manner in the affairs of any federally insured credit union. This prohibition results from activities you engaged in during your affiliation with the Evergreen Federal Credit Union. This prohibition is effective immediately upon service. In accordance with Section 206(g)(7)(A) of the Federal Credit Union Act, 12 U.S.C. §1786(g)(7)(A), this Order shall constitute a prohibition from further participation in any manner in the affairs of any federally insured financial institution, or other entity identified therein, without the written permission of the appropriate federal regulatory agency. This Order has been issued based upon the following information.

You pleaded guilty to one count of a violation of Title 18, United States Code, Section 657, embezzlement of credit union funds. You were sentenced on April 17, 1992, by the U.S. District Court for the Western District of Washington, to home detention for eight months, supervised release for four years, and payment of restitution to the credit union in the amount of \$60,278.35. A copy of the Judgment in a Criminal Case, dated April 21, 1992, is attached to this Order as Attachment 1 and is incorporated by reference herein. Because an appeal has not been filed within the time specified by the Federal Rules of Appellate Procedure, your conviction is now final.

The offense of which you were convicted was committed while you were employed as a teller/loan officer/bookkeeper of the Evergreen Federal Credit Union of Olympia, Washington. The facts surrounding the count to which you pleaded guilty are that you embezzled credit union funds, in the amount of \$43,549.92, by taking cash from the credit union's daily deposits. Furthermore, you forged the credit union manager's signature on a line of credit application for a fictitious person. You then obtained cash advances, totalling \$16,728.43, from the line of credit established for the fictitious person. The amount of funds you embezzled from the credit union totalled \$60,278.35. At the time of your criminal actions, Evergreen Federal Credit Union was a federally chartered and insured credit union.

The offense to which you pleaded guilty involves personal dishonesty and breach of trust. Your continued participation in the affairs of any federally insured credit union may pose a threat to the interests of credit union members and may threaten to impair public confidence in the credit union involved.

NOTICE OF HEARING

Pursuant to Section 206(i)(3), of the Federal Credit Union Act, 12 U.S.C. §1786(i)(3), you may request in writing, within thirty days of service of this Order, an opportunity for a hearing at which you may present evidence and argument that your continued participation in the affairs of any federally insured credit union

would not, or would not be likely to, pose a threat to the interests of that credit union's members or threaten to impair public confidence in the credit union. Any such request should be sent to: Secretary of the Board, National Credit Union Administration, Washington, D.C. 20456. This hearing will be held in Washington, D.C., in accordance with Subpart D of Part 747 of NCUA's Rules and Regulations, 12 C.F.R. §747.301 *et seq.*

PENALTY FOR VIOLATION OF ORDER OF PROHIBITION

Pursuant to Section 206(k)(2) of the Federal Credit Union Act, 12 U.S.C. §1786(k)(2), any violation of this Order may subject you to a Civil Money Penalty of up to \$1,000,000.00 a day for each day said violation continues. In addition, pursuant to Section 206(l) of the Federal Credit Union Act, 12 U.S.C. §1786(l), any violation of this Order is a felony offense that is punishable by imprisonment of up to five years and a fine of up to \$1,000,000.00.

Dated this _____ day of August, 1993.

National Credit Union Administration
by

DANIEL L. MURPHY
Regional Director, Region VI
National Credit Union Administration

CERTIFICATE OF SERVICE

This is to certify that I have served the foregoing Order of Prohibition in the Matter of Marilyn J. Perkins, by depositing the same with the U.S. Postal Service, certified mail, return receipt requested, addressed to Donald McConnell, Esquire, 334G Cleveland Avenue, S.E., Tumwater, Washington, 98501, the attorney of record for Marilyn J. Perkins.

Date

Jon J. Canerday
Trial Attorney
Office of General Counsel