

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

In the Matter of JOHN FREUNDNER))))))	Docket No.: 10-0002-R3
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NOTICE OF PROHIBITION

WHEREAS on or about February 26, 2009, John Freundner ("Freundner") was convicted of Theft, R.C. 2913.02 in connection with his employment at BMI Federal Credit Union in Dublin, Ohio;

WHEREAS a violation of R.C. 2913.02 is a criminal offense involving dishonesty and breach of trust;

NOW, THEREFORE, YOU ARE HEREBY NOTIFIED THAT:

1. Pursuant to 12 U.S. C. § 1785(d)(1)(A) and 12 U.S.C. § 1829(a)(1)(A), Freundner is prohibited from becoming an "institution affiliated party" of any insured depository institution, as defined in 12 U.S.C. § 1786(r); otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution; and owning or controlling, directly or indirectly, any insured depository institution;

2. Pursuant to 12 U.S. C. § 1785(d)(1)(B) and 12 U.S.C. § 1829(a)(1)(B), no insured depository institution may permit Freundner to engage in any conduct or continue in any relationship prohibited in paragraph 1 above;

3. Pursuant to 12 U.S.C. § 1785(d)(3) and 12 U.S.C. § 1829(b), whoever knowingly violates paragraph 1 or 2 above is subject to a fine of not more than \$1 million for each day such prohibition is violated, or imprisonment for not more than five (5) years, or both;

4. The "Judgment Entry" filed February 27, 2009, 08CR-07-4919, is made a part hereof and is incorporated herein by reference; and

5. This Notice of Prohibition shall be effective and enforceable on the date of set forth below.

IT IS SO ORDERED this 25 day of August, 2010.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: Donna Woods
for Herb Yolles
Acting Regional Director
NCUA Region III

57200 - V34

COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CRIMINAL DIVISION

State of Ohio,	:	<u>TERMINATION NO. 13</u>	BY: TJ
Plaintiff,	:	CASE NO. 08CR-07-4919	
-vs-	:	JUDGE FAIS	
John Freundner,	:		
Defendant,	:		

FILED COURT
COMMON PLEAS COURT
FRANKLIN COUNTY, OHIO
2009 FEB 27 PM 4: 14
CLERK OF COURTS

JUDGMENT ENTRY
(Community Control Imposed)

On January 8, 2009, the State of Ohio was represented by Prosecuting Attorney Jason Moore and the Defendant was represented by Attorney Eric Allen. The Defendant, after being advised of his rights pursuant to Crim. R. 11, entered a plea of guilty Count One of the indictment, to wit: **THEFT**, a violation of R.C. 2913.02, and a Felony of the Third Degree.

The Court found the Defendant guilty of the charge to which the plea was entered.

Upon application of the Prosecuting Attorney and for good cause shown, it is ORDERED that a Nolle Prosequi be entered for Counts Two, Three, and Four.

The Court ordered and received a pre-sentence investigation.

On February 26, 2009, a sentencing hearing was held pursuant to R.C. 2929.19. The State of Ohio was represented by Prosecuting Attorney Jason Moore and the Defendant was represented by Attorney Eric Allen. The Prosecuting Attorney and the Defendant's Attorney did not recommend a sentence.

The Court afforded counsel an opportunity to speak on behalf of the Defendant and addressed the Defendant personally affording Defendant an opportunity to make a statement on Defendant's own behalf in the form of mitigation and to present information regarding the existence or non-existence of the factors the Court has considered and weighed.

The Court has considered the purposes and principles of sentencing set forth in R.C.

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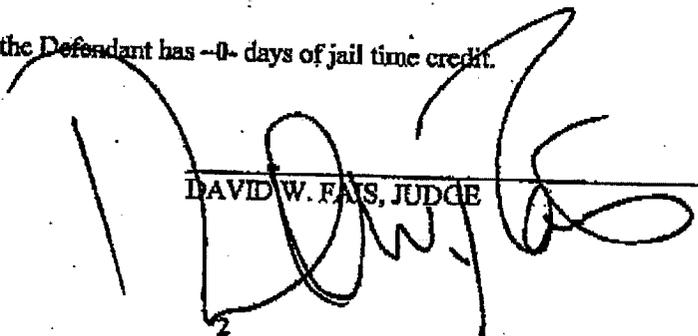
2929.11 and the factors set forth in R.C. 2929.12. In addition, the Court has weighed the factors as set forth in the applicable provisions of R.C. 2929.13 and R.C. 2929.14. The Court further finds that a prison term is not mandatory pursuant to R.C. 2929.13(F).

The Court hereby imposes a period of Community Control, under intensive supervision, mental health caseload for five (5) years. In addition to the provisions of R.C. 2951.02 and the general requirements of the Franklin County Department of Community Control, as authorized by the Common Pleas Court and as given to the Defendant in writing, the Court imposes the following Community Control Sanctions (See R.C. 2925.15, R.C. 2929.16 and R.C. 2929.17): that the defendant successfully sixty (60) hours of Community Service as determined by the Probation Officer; the defendant shall obtain/maintain verifiable employment and residence; that the defendant have no contact whatsoever with the victim; defendant is to have no new arrests or convictions of any kind

The Court has considered the Defendant's present and future ability to pay a fine and financial sanction and does, pursuant to R.C. 2929.18, hereby renders judgment for the following fine and/or financial sanctions: that the defendant pay full restitution in the amount of One Hundred Twenty Five Thousand Twenty Five Dollars and 04/100 (\$125,025.04) to be paid to the victims through the Probation Department; the Defendant is ordered to pay an amount to be determined for all prosecution costs, court appointed counsel costs and any fees permitted pursuant to R.C. 2929.18(A)(4). Said fine and/or financial sanctions to be paid through the Probation Department.

After the imposition of Community Control, the Court pursuant to R.C. 2929.19(B)(5) notified the Defendant, orally and in writing, what could happen if the Defendant violates Community Control. The Court further indicated that if the Defendant violates Community Control, Defendant will receive a prison term five (5) years determinate sentence to be served at ODRC

The Court finds that the Defendant has --0-- days of jail time credit.



DAVID W. FAIS, JUDGE