#### UNITED STATES OF AMERICA

### NATIONAL CREDIT UNION ADMINISTRATION

### NATIONAL CREDIT UNION ADMINISTRATION BOARD

In the Matter of	
Terry Seymour	Docket No. 99-0301-VI
Former manager of Safeway Federal Credit Union Butte, Montana	

## **ORDER OF PROHIBITION**

**WHEREAS**, Terry Seymour has executed a Stipulation and Consent to Issuance of an Order of Prohibition which is accepted and approved by the National Credit Union Administration Board; and

**WHEREAS**, Terry Seymour in the Stipulation has consented and agreed to the issuance of this Order of Prohibition pursuant to Section 206 of the Federal Credit Union Act, 12 U.S.C. §1786 and Part 747 of the National Credit Union Administration Rules and Regulations,12 C.F.R. Part 747, et seq.

### NOW THEREFORE IT IS ORDERED THAT:

- 1. Terry Seymour is an institution-affiliated party in that she is the former manager of the Safeway Federal Credit Union, Butte, Montana.
- 2. The Stipulation and Consent to Issuance of Order of prohibition is made a part hereof and incorporated herein by reference.
- 3. Terry Seymour is prohibited from participating in any manner in the conduct of the affairs of any federally insured credit union and any other institution as defined in 12 U.S.C. §1786 (g)(7).
- 4. This Order of Prohibition shall be effective on the date it is issued.

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by Delegated Authority

Jane Walters

Regional Director, Region VI

Dated: March 29, 1999

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In the Matter of	
Terry Seymour	Docket No. 99-0301-VI
Former manager of Safeway Federal Credit Union Butte, Montana	

## STIPULATION AND CONSENT TO ISSUANCE OF

# **ORDER OF PROHIBITION**

Terry Seymour, former manager of Safeway Federal Credit Union, Butte, Montana, and the National Credit Union Administration Board ("NCUAB"), acting by and through its undersigned counsel, hereby make this Stipulation and Consent to Issuance of an Order of Prohibition ("Stipulation").

Terry Seymour and NCUAB hereby stipulate and agree as follows:

1. <u>Consideration</u>. The NCUAB is of the opinion that grounds exist to initiate an administrative prohibition against Terry Seymour pursuant to Section 206 of the Federal Credit Union Act, 12 U.S.C. §1786. Terry Seymour, without admitting 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, Terry Seymour consents to the issuance by the NCUAB of an Order of Prohibition ("Order") in consideration of the settlement, compromise and resolution of all potential administrative claims and charges that have been brought or might be asserted by NCUAB against her arising out of her former position as manager of Safeway Federal Credit Union.

## 2. Jurisdiction.

(a) Terry Seymour is an "institution-affiliated party" within the meaning of Section 206(r) of the Federal Credit Union Act, 12 U.S.C. §1786(r).

- (b) Pursuant to the authority vested in the NCUAB under Section 206(g) of the Federal Credit Union Act, 12 U.S.C. §1786(g), and Part 747 of the National Credit Union Administration Rules and Regulations, NCUAB is an appropriate Federal agency to maintain enforcement proceedings against an institution-affiliated party. Accordingly, Terry Seymour admits to the jurisdiction of the NCUAB over her and over the subject matter of this action.
- 3. Consent. Terry Seymour, without making any admission of fault, consents to the issuance by the NCUAB of the accompanying Order and agrees to comply with all of its terms upon issuance. The Order complies with all requirements of the law, and issues pursuant to Section 206(g) of the Federal Credit Union Act, 12 U.S.C. §1786(g). The construction and validity of this Stipulation and the Order shall be governed by the laws of the United States of America, and the section and paragraph headings shall not effect the interpretation of the Stipulation and Order.
- 4. <u>Waivers</u>. Terry Seymour waives her right to the administrative hearing provided for in Section 206(g)(4) of the Federal Credit Union Act, 12 U.S.C. 1786(g)(4). She further waives her right to seek judicial review of the Order of Prohibition or otherwise challenge the validity or legality of the Order.
- 5. <u>Finality</u>. The Order of Prohibition is issued pursuant to Section 206(g) of the Federal Credit Union Act, 12 U.S.C. §1786(g). Upon its issuance by the NCUAB, it shall be a final Order, effective and fully enforceable by the NCUAB.
- 6. Other Actions. Pursuant to this stipulation, Terry Seymour hereby agrees that the Order is solely for the purpose of settling and resolving NCUAB's claims against her. Execution of this Stipulation by Terry Seymour is limited to the issuance by the NCUAB of the accompanying Order of Prohibition and does not constitute an admission of any violation of the Federal Credit Union Act, or any other statute, regulation, right, duty or obligation, for any purpose whatsoever. Furthermore, Terry Seymour and NCUAB agree that this Stipulation shall not be evidential for any purpose in any other proceeding that may arise in connection with her former affiliation with Safeway Federal Credit Union.

**WHEREFORE**, in consideration of the foregoing, the undersigned, on behalf of the National Credit Union Administration, and Terry Seymour, execute this Stipulation and Consent to Issuance of Order of Prohibition.

NATIONAL CREDIT UNION ADMINISTRATION		
By:		
Paul T. Sosnowski	Date	
Trial Attorney		
Office of General Counsel		

Terry Seymour, former manager	Date
Safeway Federal Credit Union	
(Notary Seal)	
Notary Public	
My Commission expires	

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## **CERTIFICATE OF SERVICE**

- I, Paul T. Sosnowski, Trial Attorney, for the National Credit Union Administration, hereby certify that on March 30, 1999, a true copy of the National Credit Union Administration Board's Order of Prohibition in the above matter, was sent by Federal Express Overnight Delivery and U.S. First Class mail to:
- J. Kim Schulke, Esquire Attorney for Terry Seymour Linnell, Newhall, Martin & Schulke, P.C. P. O. Box 2629 (59403) 300 Central Avenue Great Falls, Montana 59401

Paul T. Sosnowski, Esquire NCUA, Office of General Counsel

1775 Duke Street, 6th Floor Alexandria, VA 22314 Telephone: (703) 518-6548 Facsimile: (703) 518-6569