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

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IN THE MATTER OF					
Barbara Dunn, Former President/ Chief Executive Officer BNSF Credit Union, Amarillo, Texas	) ) ) ) DOCKET NO. 04-0901-IV ) )				
ORD	ER OF PROHIBITION				
WHEREAS, Barbara Dunn, former Pro	esident/CEO of BNSF Credit Union ("Credit Union"), is				
an "institution-affiliated party" particip	ating in the affairs of said credit union; and				
WHEREAS, Barbara Dunn has execut	ed a Stipulation and Consent to Issuance of an Order of				
Prohibition, which is accepted and appr	oved by the National Credit Union Administration acting				
through its counsel; and					
WHEREAS, Barbara Dunn has stipula	ated and consented to the issuance of this Order of				
Prohibition pursuant to Section 206(g)	of the Federal Credit Union Act, 12 U.S.C. §1786(g) and				
Part 747 of the Nation Credit Union Ad	ministration Rules and Regulations, 12 C.F.R. §747.				
NOW, THEREFORE, IT IS ORDER	ED THAT:				
1. Barbara Dunn is prohibited from fu	rther participation, in any manner, in the conduct of the				
affairs of any federally insured cred	lit union and any other institution as defined in Section				
206(g)(7) of the Federal Credit Union Act, 12 U.S.C. §1786(g)(7).					
2. The Stipulation and Consent to Issu	nance of this Order of Prohibition is made a part hereof				
and is incorporated herein by refere	ence.				
This Order of Prohibition shall become	effective on the date it is issued.				
NATIONAL CREDIT UNION ADM	INISTRATION BOARD				
BY: /S/ Jane Walters, Regional Director	DATE: <u>9-22-04</u>				

National Credit Union Administration, Region IV

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

IN THE MATTER OF	)		
	)		
Barbara Dunn			
Former President/	)		
<b>Chief Executive Officer</b>	)	DOCKET NO.	04-0901-IV
<b>BNSF</b> Credit Union,	)		
Amarillo, Texas	)		
	)		

## STIPULATION AND CONSENT TO ISSUANCE OF AN ORDER OF PROHIBITION

The National Credit Union Administration Board ("NCUA BOARD"), by and through its undersigned counsel, and Barbara Dunn, former President/Chief Executive Officer (CEO) at BNSF Credit Union, Amarillo, Texas, hereby stipulate and agree as follows:

1. <u>Consideration</u>. The National Credit Union Administration ("NCUA") is of the opinion that grounds exist to initiate an administrative prohibition against Barbara Dunn pursuant to Section 206 of the Federal Credit Union Act, 12 U.S.C. §1786. Barbara Dunn, without admitting or denying 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, Barbara Dunn consents to the issuance by the NCUA Board of an Order of Prohibition ("Order") and hereby stipulates and agrees to the following terms in consideration of the settlement, compromise and resolution of all potential administrative claims and charges that have been or might be asserted by the NCUA Board against Barbara Dunn arising out of her position as President/CEO of BNSF Credit Union.

## 2. Jurisdiction.

- (a) Barbara Dunn 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 NCUA Board 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, it is an appropriate Federal agency to maintain enforcement proceedings against an "institution-affiliated party".

- 3. <u>Consent.</u> Barbara Dunn consents to the issuance by the NCUA Board of the accompanying Order of Prohibition. She further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of the Federal Credit Union Act.
- 4. <u>Waivers</u>. Barbara Dunn 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 to otherwise challenge the validity or legality of the Order.
- 5. Other Actions. Pursuant to this Stipulation, the Order settles and resolves any NCUA Board claims, known and unknown, against Barbara Dunn as provided by paragraph 1 of this Stipulation. The Stipulation, however, does not release, discharge, compromise, settle, resolve or in any way effect any actions, claims, charges against, or liabilities that arise and that may be or have been brought by BNSF Credit Union, or any federal or state government agency or entity other than the NCUA Board.
- 6. <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 NCUA Board, it shall be a final Order, immediately effective and fully enforceable by the National Credit Union Administration.

WHEREFORE, in consideration of the foregoing, the undersigned counsel on behalf of the National Credit Union Administration and Barbara Dunn execute this Stipulation and Consent to Issuance of an Order of Prohibition.

By:	/S/	9/2/04	
•	Kathy Sachen-Gute, Trial Attorney	Date	
	Office of General Counsel		
	<u>/S/</u>	<u>8-27-04</u>	
	Barbara Dunn	Date	