

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

|                                |   |                    |
|--------------------------------|---|--------------------|
| _____                          | ) |                    |
| In the Matter of               | ) |                    |
|                                | ) | ORDER TO PAY CIVIL |
| FIRST AMERICAN BANK & TRUST    | ) | MONEY PENALTY      |
| COMPANY                        | ) |                    |
| ATHENS, GEORGIA                | ) | FDIC-07-258K       |
|                                | ) |                    |
| (INSURED STATE NONMEMBER BANK) | ) |                    |
| _____                          | ) |                    |

FIRST AMERICAN BANK & TRUST COMPANY, ATHENS, GEORGIA ("Respondent") has been advised of the right to receive a NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT AND CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING ("NOTICE") issued by the Federal Deposit Insurance Corporation ("FDIC") detailing the violations for which a civil money penalty may be assessed against Respondent pursuant to section 8(i)(2) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(i)(2), section 305 of the Home Mortgage Disclosure Act ("HMDA"), 12 U.S.C. § 2804, and section 203.6 of Regulation C of the Board of Governors of the Federal Reserve System, 12 C.F.R. § 203.6, and has been further advised of the right to a hearing on the alleged charges under section 8(i) of the Act, 12 U.S.C. § 1818(i), and the FDIC's Rules of Practice and Procedure, 12 C.F.R. Part 308.

Having waived those rights, the Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY CIVIL

MONEY PENALTY ("CONSENT AGREEMENT") with a representative of the Legal Division of the FDIC, whereby the Bank, solely for the purpose of this proceeding and without admitting or denying any violations of law and/or regulations for which civil money penalties may be assessed, consented to the issuance of an ORDER TO PAY CIVIL MONEY PENALTY by the FDIC and agreed to pay a civil money penalty in the amount of \$4,000.00 to the Treasurer of the United States.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of Respondent, the gravity of the violation by Respondent, and such other matters as justice may require, the FDIC considered the matter and determined it had reason to believe that the Bank engaged or participated in violations of law or regulation for which a civil money penalty of \$4,000.00 is appropriate to be assessed against the Bank.

The FDIC, therefore, accepts the CONSENT AGREEMENT and issued the following:

ORDER TO PAY CIVIL MONEY PENALTY

IT IS HEREBY ORDERED that Respondent be, and hereby is, assessed a civil money penalty of \$4,000.00 pursuant to section 8(i)(2) of the Act, 12 U.S.C. § 1818(i)(2), the receipt of which is hereby acknowledged.

Pursuant to delegated authority.

Dated at Washington, D.C., this 20<sup>th</sup> day of February, 2008.

A handwritten signature in black ink, appearing to read "Scott D. Strockoz", written over a horizontal line.

Scott D. Strockoz  
Acting Associate Director  
Division of Supervision and Consumer  
Protection