

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

_____	)	
In the Matter of	)	
	)	
ESTHER HUBER,	)	
	)	
individually and as a former	)	ORDER OF
institution-affiliated party	)	PROHIBITION FROM
of	)	FURTHER PARTICIPATION
	)	
BANK OF HAZELTON	)	FDIC-09-267e
HAZELTON, NORTH DAKOTA	)	
	)	
(Insured State Nonmember Bank)	)	
_____	)	

Esther Huber ("Respondent") has been advised of her right to receive a NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION ("NOTICE") issued by the Federal Deposit Insurance Corporation ("FDIC"), detailing the unsafe or unsound practices and breaches of fiduciary duty for which an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION ("ORDER OF PROHIBITION") may be issued, and has been further advised of her right to a hearing on those charges under section 8(e) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(e), and the FDIC Rules of Practice and Procedure, 12 C.F.R. Part 308. Having waived those rights, Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM FURTHER PARTICIPATION AND AN ORDER TO PAY CIVIL MONEY PENALTY ("CONSENT AGREEMENT"), whereby solely for the purpose of this proceeding and without admitting or denying any unsafe or unsound practices or breaches of fiduciary duty, Respondent consented to the issuance of an ORDER OF PROHIBITION by the FDIC.

The FDIC considered the matter and determined it had reason to believe that:

(a) Respondent has engaged or participated in unsafe or unsound practices and breaches of fiduciary duty, as an institution-affiliated party of Bank of Hazelton, Hazelton, North Dakota ("Bank");

(b) by reason of such unsafe or unsound practices and breaches of fiduciary duty, the Bank has suffered financial loss or other damage and the interests of the Bank's depositors have been prejudiced; and

(c) such unsafe or unsound practices and breaches of fiduciary duty involve personal dishonesty on the part of Respondent and demonstrate Respondent's willful and continuing disregard for the safety or soundness of the Bank.

The FDIC further determined that such practices and breaches of fiduciary duty demonstrate Respondent's unfitness to serve as a director, officer, person participating in the conduct of the affairs, or as an institution-affiliated party of the Bank, of any other insured depository institution, or of any other agency or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A).

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

ORDER OF PROHIBITION  
FROM FURTHER PARTICIPATION

1. Esther Huber is hereby prohibited from:

(a) participating in any manner in the conduct of the affairs of any financial institution or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A);

(b) soliciting, procuring, transferring, attempting to transfer, voting, or attempting to vote any proxy, consent or authorization with respect to any voting rights in any financial institution enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A);

(c) violating any voting agreement previously approved by the appropriate Federal banking agency; or

(d) voting for a director, or serving or acting as an institution-affiliated party,

without the prior written consent of the FDIC and the "appropriate Federal financial institutions regulatory agency," as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e)(7)(D).

2. This ORDER OF PROHIBITION shall be effective immediately upon its issuance. The provisions of this ORDER OF PROHIBITION will remain effective and enforceable except to the extent that, and until such time as, any provision of this ORDER OF PROHIBITION shall have been modified, terminated, suspended, or set aside by the FDIC.

Pursuant to delegated authority.

Dated this 26<sup>th</sup> day of October, 2009.

/s/

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Serena L. Owens  
Associate Director  
Division of Supervision and  
Consumer Protection