

UNITED STATES OF AMERICA  
BEFORE  
THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM  
WASHINGTON, D.C.

In the Matter of	)	
	)	Docket Nos. 08-028 -E-I
DONALD W. LINVILLE	)	
	)	Consent Order of Prohibition Issued
A Former Institution-Affiliated	)	Pursuant to Section 8(e) of the
Party of Compass Bank	)	Federal Deposit Insurance Act, as
Birmingham, Alabama	)	Amended
	)	

WHEREAS, pursuant to section 8(e) of the Federal Deposit Insurance Act, as amended (the "FDI Act"), 12 U.S.C. § 1818(e), the Board of Governors of the Federal Reserve System (the "Board of Governors") issues this Consent Order of Prohibition (the "Order") upon Donald W. Linville, a former employee and institution-affiliated party, as defined in section 3(u) of the FDI Act, 12 U.S.C. § 1813(u), of Compass Bank (the "Bank"), a state member bank;

WHEREAS, Linville, while employed as a senior vice president of the commercial real estate group in the Bank's Jacksonville, Florida branch office, allegedly engaged in violations of law, unsafe and unsound banking practices, and breaches of fiduciary duty, including alteration of appraisal, loan application and loan guaranty records in the Bank's files without the knowledge or consent of the Bank, borrowers, or appraisers; which acts are further alleged to have caused a substantial loss to the Bank.

WHEREAS, by affixing his signature hereunder, Linville has consented to the issuance of this Order by the Board of Governors and has agreed to comply with each and

every provision of this Order, and has waived any and all rights he might have pursuant to 12 U.S.C. § 1818, 12 CFR Part 263, or otherwise: (a) to the issuance of a notice of intent to prohibit or notice of assessment of civil money penalty on any matter implied or set forth in this Order; (b) to a hearing for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (c) to obtain judicial review of this Order or any provision hereof; and (d) to challenge or contest in any manner the basis, issuance, terms, validity, effectiveness, or enforceability of this Order or any provision hereof.

NOW THEREFORE, prior to the taking of any testimony or adjudication of or finding on any issue of fact or law implied or set forth herein, and without this Order constituting an admission by Linville of any allegation made or implied by the Board of Governors in connection with this proceeding, and solely for the purpose of settlement of this proceeding without protracted or extended hearings or testimony:

IT IS HEREBY ORDERED, pursuant to sections 8(e) and (i)(3) of the FDI Act, 12 U.S.C. §§ 1818(e) & (i)(3), that:

1. Linville, without the prior written approval of the Board of Governors and, where necessary pursuant to section 8(e)(7)(B) of the FDI Act, 12 U.S.C. § 1818(e)(7)(B), another Federal financial institutions regulatory agency, is hereby and henceforth prohibited from:

a. participating in any manner in the conduct of the affairs of any institution or agency specified in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A), including, but not limited to, any insured depository institution or any

holding company of an insured depository institution:

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 institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A):

c. violating any voting agreement previously approved by any Federal banking agency; or

d. voting for a director, or serving or acting as an institution-affiliated party, as defined in section 3(u) of the FDI Act, 12 U.S.C. § 1813(u), such as an officer, director or employee, in any institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A).

2. All communications regarding this Order shall be addressed to:

(a) Richard M. Ashton, Esq.  
Deputy General Counsel Board of Governors of  
the Federal Reserve System 20<sup>th</sup> & C Sts. N.W.,  
Washington, DC 20551

(b) Mr. Donald W. Linville  
c/o Allan F. Brooke II, Esq.  
Bedell, Dittmar, DeVault, Pillans & Coxe, P.A.  
101 East Adams Street  
Jacksonville, Florida 32202

3. Any violation of this Order shall separately subject Linville to appropriate civil or criminal penalties, or both, under sections 8(i) and (j) of the FDI Act, 12 U.S.C. §§ 1818(i) and (j).

4. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, or any other Federal or state agency or department, from taking any

other action affecting Linville; provided, however, that the Board of Governors shall not take any further action against Linville relating to the matters addressed by this Order based upon facts presently known by the Board of Governors.

5. Each provision of this Order shall remain fully effective and enforceable until expressly stayed, modified, terminated, or suspended in writing by the Board of Governors.

By order of the Board of Governors of the Federal Reserve System, effective this 25<sup>th</sup> day of September, 2008.

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM

Donald W. Linville \_\_\_\_\_

By:

Jennifer J. Johnson  
Secretary of the Board