

**UNITED STATES OF AMERICA**

**BEFORE THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM**

**WASHINGTON, D.C.**

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In the Matter of )	Docket No. 99-027- B- I (36-37)
)	99-027- B- I (36-37)
)	
Dale Skrobot and Betty Skrobot )	Order by Consent Pursuant to Section 8 (b)
)	of the Federal Deposit Insurance Act,
_____ )	as Amended

WHEREAS, pursuant to section 8 (b) of the Federal Deposit Insurance Act, as amended (the "FDI Act") (12 U.S.C. § 1818 (b)) the Board of Governors of the Federal Reserve System (the "Board of Governors") issues this Order by Consent ("Order") against Dale Skrobot and Betty Skrobot (collectively, "the Skrobots"), residents of Georgia.

WHEREAS, this Order resolves allegations that the Skrobots violated the Change in Bank Control Act ("CIBC Act") (12 U.S.C. 1817 (j)) and an order issued under the CIBC Act by the Board of Governors in connection with their acquisition of beneficial ownership of shares of First Western Bank, Cooper City, Florida (the "Bank"), a state member bank;

WHEREAS, the Skrobots were required to file and did file jointly with others a change-in-control notice under the CIBC Act seeking the approval of the Board of Governors to retain voting shares in the Bank, and, therefore, were institution-affiliated parties of the Bank, as defined in section 3(u) of the FDI Act (12 U.S.C. § 1813 (u));

WHEREAS, on November 25, 2002, the Board of Governors issued written Notices (the "Notices") initiating formal enforcement proceedings against the Skrobots and others alleging that they failed to provide required information to support their change-in-control notice and

failed to comply with an order issued by the Board of Governors after it disapproved the change-in-control notice;

WHEREAS, the Skrobots have now sold their beneficial ownership in the Bank, and are no longer institution-affiliated parties of the Bank, as defined in section 3(u) of the FDI Act;

WHEREAS, this Order is by way of settlement only with no adjudication of or finding on any issues of fact or law, and the Skrobots, by executing this Order, do not admit or deny any wrongdoing or liability with respect to any allegations or claims;

WHEREAS, by affixing their signatures hereunder, the Skrobots have consented to the issuance of this Order by the Board of Governors and to complying with each and every provision that pertains to the Skrobots; and

WHEREAS, the Skrobots have waived any and all rights that they might have pursuant to 12 U.S.C. §§ 1817 and 1818, 12 C.F.R. Part 263, or otherwise: (a) to a hearing for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (b) to obtain judicial review of this Order; and (c) to challenge or contest in any manner the basis, issuance, terms, validity, effectiveness, or enforceability of this Order or any provision hereof.

NOW, THEREFORE, before the taking of any testimony of, adjudication of or finding on any issue of fact or law herein, and without this Order constituting an admission 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 hearing or testimony:

IT IS HEREBY ORDERED, pursuant to section 8 (b) of the FDI Act:

1. The Skrobots shall not knowingly acquire any additional legal, beneficial or other interests in the Bank.
2. The Skrobots shall not directly or indirectly engage or participate in any future violations of the CIBC Act.
3. The Skrobots agree that any future transactions involving shares of a depository institution or bank holding company that they otherwise enter into will be in accordance with all applicable federal and state laws and regulations in effect at the time of the transaction.
4. The Skrobots agree to cooperate with the Board of Governors and its delegated and designated representatives in the proceeding initiated by the Notices. As part of this agreement, the Skrobots agree that, if asked to provide testimony or other sworn statements in the proceeding initiated by the Notices, the Skrobots will comply and will provide complete and truthful statements or testimony on all non-privileged matters at issue in the Notices. The Skrobots also agree that they will provide prior written notice of any and all changes in their residence address(es) to the staff of the Board of Governors until such time as the staff informs the Skrobots that this proceeding has been fully resolved as to all respondents named in the proceeding. Such prior written notices shall be sent to:

Jory M. Hochberg  
Senior Counsel  
Board of Governors of the Federal Reserve System  
Legal Division  
Mail Stop 11  
Washington, D.C. 20551

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

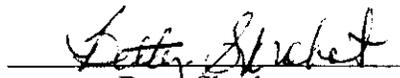
6. By executing this Order, the Skrobits waive any and all claims for fees, costs, damages, or expenses against the Board of Governors, or its agents or employees, related in any way to the Notices or this Order, whether arising under common law or under the terms of any statute, including, but not limited to the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412.

7. 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 the Skrobits, provided, however, the Board of Governors shall not take any further action against the Skrobits based upon any information presently known to the Board of Governors concerning the matters addressed in the Notices or this Order.

8. The proceeding initiated by the Notices is concluded with respect to the Skrobits upon issuance of this Order.

By order of the Board of Governors of the Federal Reserve System, this 24<sup>th</sup> day of February, 2003.

  
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Dale Skrobot

  
\_\_\_\_\_  
Betty Skrobot

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM

  
\_\_\_\_\_  
Jennifer J. Johnson  
Secretary of the Board