

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

In the Matter of)	Docket Nos. 09-37-E-I
G. CRAIG CHUPIK)	09-37-CMP-I
A Former Institution-Affiliated)	Order of Prohibition and Order of
Party of PlainsCapital Bank,)	Assessment of Civil Money Penalty
Dallas, Texas)	Issued Upon Consent Pursuant to
)	Sections 8(e) and 8(i) of the Federal
)	Deposit Insurance Act, as Amended

WHEREAS, pursuant to sections 8(e), 8(i)(2) and 8(i)(3) of the Federal Deposit Insurance Act, as amended (the “FDI Act”), 12 U.S.C. §§ 1818(e), (i)(2) & (i)(3), the Board of Governors of the Federal Reserve System (the “Board of Governors”) issues this combined Order of Prohibition and Order of Assessment of Civil Money Penalty (the “Order”) upon the consent of G. Craig Chupik, a former employee and institution-affiliated party, as defined in section 3(u) of the FDI Act, 12 U.S.C. § 1813(u), of PlainsCapital Bank (the “Bank”), a state member bank;

WHEREAS, Chupik, while employed as a vice president and loan officer at the Bank, allegedly engaged in violations of law, unsafe and unsound banking practices, and breaches of fiduciary duty, including, *inter alia*, Chupik’s (i) receipt of cash fees from prospective bank customers in exchange for recommending the approval of Bank loans to such customers; (ii) withdrawal of proceeds from a relative’s line of credit at the Bank for Chupik’s personal use; and (iii) check writing activities from his personal accounts.

WHEREAS, by affixing his signature hereunder, Chupik 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 Chupik 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), (i)(2) and (i)(3) of the FDI Act, 12 U.S.C. §§ 1818(e), (i)(2) & (3), that:

1. Chupik, 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).

IT IS HEREBY FURTHER ORDERED, pursuant to section 8(i) of the FDI Act, 12 U.S.C. § 1818(i), that:

2. Chupik shall forfeit and pay a civil money penalty in the amount of \$20,000.

3. The civil money penalty paid by Chupik pursuant to this Order shall be remitted in full prior to the date this Order becomes effective, payable to “the Board of Governors of the Federal Reserve System” and forwarded with an executed copy of this Order to Jennifer J. Johnson, Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, DC, 20551, or, alternatively, by Fedwire transfer to the Federal Reserve Bank of Richmond, ABA No. 05 1000033, beneficiary, Board of

Governors of the Federal Reserve System. The Board of Governors or the Federal Reserve Bank of Richmond on its behalf shall remit the funds to the United States Treasury as required by statute.

4. No portion of the penalty paid pursuant to this Order shall be, directly or indirectly, paid, advanced, reimbursed or otherwise funded by Bank.

5. 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
20th & C Sts. N.W.,
Washington, DC 20551

(b) Mr. G. Craig Chupik

Fort Worth, TX 76107

With a copy to:

David Reed
Meadows Collier Reed Cousins & Blau LLP
3700 Bank of America Plaza
901 Main Street
Dallas, Texas 75202

6. Any violation of this Order shall separately subject Chupik 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).

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 Chupik; provided, however, that the Board of Governors shall not

