

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
NATIONAL CREDIT UNION ADMINISTRATION BOARD**

IN THE MATTER OF)	
)	
Richard A. Lange)	Docket No.: 08-0049-R4
Former President of)	
Financial One Credit Union)	
Formerly First Community Credit Union)	
Columbia Heights, MN)	

ORDER OF PROHIBITION

Pursuant to Section 206(i)(1)(C) of the Federal Credit Union Act ("FCUA"), 12 U.S.C. § 1786 (i)(1)(C), you are hereby notified that you are prohibited from participating in any manner in the affairs of any federally insured credit union. The prohibition results from your conviction for activities you engaged in during your affiliation with First Community Credit Union¹, Columbia Heights, Minnesota.

This prohibition is effective immediately upon service. In accordance with Section 206(g)(7)(A) of the FCUA, 12 U.S.C. § 1786(g)(7)(A), this Order shall constitute a prohibition from further participation in any manner in the affairs of any federally insured financial institution, or other entity identified therein, without the written permission of the appropriate federal regulatory agency. This Order has been issued based upon the following information: You were convicted of Embezzlement by Credit Union Employee, Title 18 U.S.C. §657 and False Tax Returns, Title 26 U.S.C. §7206(1). On December 4, 2008, you were sentenced by the United States District Court, District of Minnesota, to twenty-one (21) months imprisonment, three (3) years probation and ordered to pay restitution in the amount of \$249,691.01 to Financial One Credit Union and CUNA Mutual Insurance Company and a special assessment in the amount of \$200.00 to the court.

¹ In September 2007, First Community Credit Union changed its name to Financial One Credit Union.

You committed the offenses to which you were convicted in your capacity as President of First Community Credit Union. Due to the nature of the offenses to which you were convicted your continued participation in the affairs of any federally insured credit union may pose a threat to the interests of credit union members and may threaten to impair public confidence in the credit union involved.

NOTICE OF HEARING

Pursuant to Section 206(i)(3), of the FCUA, 12 U.S.C. § 1786 (i)(3), you may request in writing, within thirty days of service of this Order, an opportunity for a hearing at which you may present evidence and argument that your continued participation in the affairs of any federally insured credit union would not, or would not be likely to, pose a threat to the interests of that credit union's members or threaten to impair public confidence in the credit union. Pursuant to 12 C.F.R. § 747.306, your request must state with particularity the relief desired, the grounds, and must include supporting evidence.

Any such request should be sent to: Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428, with a copy sent to Associate General Counsel John K. Ianno at the same address. This hearing will be held in the Washington, D.C. metropolitan area, or such other place as designated by the Board, in accordance with Subpart D of Part 747 of the National Credit Union Administration's Rules and Regulations, 12 C.F.R. § 747.301 *et seq.*


You may appear at the hearing personally, through counsel, or personally with counsel. The proceedings will be recorded and you will be entitled to a transcript after payment of the costs thereof. Witnesses may be called at the discretion of the NCUA Board. If witnesses are permitted, both parties will have the ability to cross-examine those witnesses. The Presiding Officer of the

hearing will make his or her recommendations to the NCUA Board, where possible, within ten business days following the close of the record.

PENALTY FOR VIOLATION OF ORDER OF PROHIBITION

Pursuant to Section 206(k)(2) of the FCUA, 12 U.S.C. § 1786(k)(2), any violation of this Order may subject you to a civil money penalty. In addition, pursuant to Section 206(l) of the Federal Credit Union Act, 12 U.S.C. § 1786(l), any violation of this Order is a felony offense that is punishable by imprisonment of up to five years and a fine of up to \$1,000,000.

National Credit Union Administration

By  Date 1 - May - 2009
C. Keith Morton, Regional Director
National Credit Union Administration

United States District Court
District of Minnesota

UNITED STATES OF AMERICA
v.

Richard Allen Lange

JUDGMENT IN A CRIMINAL CASE
Case Number: **Criminal 07-00093 PAM**
USM Number: **13369-041**
Social Security Number: 0465
Date of Birth: 1956

Paul C. Engh
Defendant's Attorney

THE DEFENDANT: Richard Allen Lange

- pleaded guilty to count(s): **Counts 26s and 53s**.
- pleaded nolo contendere to counts(s) which was accepted by the court .
- was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:657	Embezzlement by Credit Union Employee	9/24/2004	26s
26:7206(1)	False Tax Returns	4/15/2005	53s

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on counts(s) .
- Count(s) **remaining** (is)(are) dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material change in economic circumstances.

December 4, 2008
Date of Imposition of Judgment

s/Paul A. Magnuson
Signature of Judge

PAUL A. MAGNUSON, Senior United States District Judge
Name & Title of Judge

December 5, 2008
Date

AO 245B (Rev. 06/05) Sheet 2 - Imprisonment

DEFENDANT: RICHARD ALLEN LANGE
CASE NUMBER: CRIMINAL 07-93 PAM

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 21 months as to each Count 26s and Count 53s to run concurrently.

- The court makes the following recommendations to the Bureau of Prisons:
the defendant be designated to a minimum security facility in the state of Minnesota so the defendant may be close to his family.
- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district.
 - at on .
 - as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 - before 11:00 a.m. on Monday, January 5, 2009.
 - as notified by the United States Marshal.
 - as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy United States Marshal

AO 245B (Rev. 06/05) Sheet 3 - Supervised Release

DEFENDANT: RICHARD ALLEN LANGE
CASE NUMBER: CRIMINAL 07-93 PAM

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this Judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 06/05) Sheet 3A - Supervised Release

DEFENDANT: RICHARD ALLEN LANGE
CASE NUMBER: CRIMINAL 07-93 PAM

SPECIAL CONDITIONS OF SUPERVISION

- a The defendant shall not commit any crimes, federal, state, or local.
- b The defendant shall abide by the standard conditions of supervised release recommended by the Sentencing Commission.
- c The defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
- d The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- e The defendant is not subject to mandatory drug testing pursuant to 18:3563(a) and 3583(d).
- f The defendant shall cooperate in the collection of DNA as directed by the probation officer pursuant to 18:3563(a) and 3583(d).
- g The defendant shall pay restitution in the amount of \$249,691.01. The interest requirement is waived.
- h The defendant shall provide the probation officer access to any requested financial information, including credit reports, credit card bills, bank statements, and telephone bills.
- i The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- j The defendant shall not hold employment with fiduciary responsibilities without prior approval from the probation officer.
- k If not employed at a regular lawful occupation, as deemed appropriate by the probation officer, the defendant may be required to perform up to 20 hours of community service per week until employed. The defendant may also participate in training, counseling, daily job search, or other employment-related activities, as directed by the probation officer.
- l The defendant shall pay a special assessment of \$200 due immediately. (\$100 per count)
- m No fine, costs of imprisonment or costs of supervision imposed.

AO 245B (Rev. 06/05) Sheet 5 - Criminal Monetary Penalties

DEFENDANT: RICHARD ALLEN LANGE
CASE NUMBER: CRIMINAL 07-93 PAM

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$200		\$249,691.01

The determination of restitution is deferred until . An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. §3664(i), all nonfederal victims must be paid before the United States is paid.

Name and Address of Payee	**Total Loss	Restitution Ordered	Priority or Percentage
Financial One Credit Union (fka First Community Credit Union) 843 40 th Ave. NE, Columbia Heights, MN 55421		\$2,500.00	
CUNA Mutual Insurance Company P.O. Box 1221 Madison, WI 53701-1221		\$247,191.01	
TOTALS:	\$0.00	\$249,691.01	0.00%
Payments are to be made to the Clerk, U.S. District Court, for disbursement to the victim.			

Restitution amount ordered pursuant to plea agreement \$.

Any funds that were seized by the U.S. Marshal or the Federal Bureau of Investigations shall be turned over to the Clerk of U.S. District Court to be applied toward restitution and disbursement to the victims.

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the: fine restitution is modified as follows:

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: RICHARD ALLEN LANGE
CASE NUMBER: CRIMINAL 07-93 PAM

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A **No restitution payments are to be made during the period of incarceration. Payments of restitution shall commence 30 days after defendant is released from confinement.**
Payments are to be made payable to the Clerk, U.S. District for disbursement to the victims. Payments of not less than \$250 per month are to be made over a period of three years commencing 30 days after release from confinement.
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g. months or years), to commence (e.g. 30 or 60 days) after the date of this judgment; or
- D Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g. months or years), to commence (e.g. 30 or 60 days) after the release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within (e.g. 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are to be made to the clerk of court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several
Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:
- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The Court takes the issue of forfeiture under advisement.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7)penalties, and (8) costs, including costs of prosecution and court costs.