

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

IN THE MATTER OF)	
)	
JOAN BESELER)	
)	
An Institution-Affiliated Party and)	Docket No. 05-1202-III
Person Participating in the Affairs)	
of the FIRST HIALEAH COMMUNITY)	
FEDERAL CREDIT UNION,)	
<u>Hialeah, Florida</u>)	

ORDER OF PROHIBITION

WHEREAS, Joan Beseler has executed a Stipulation and Consent to Issuance of Order of Prohibition, which is accepted and approved by the National Credit Union Administration acting through its counsel; and

WHEREAS, Joan Beseler, in the Stipulation has consented and agreed to the issuance of this Order of Prohibition pursuant to Section 206(g) of the Federal Credit Union Act, 12 U.S.C. § 1786(g), and Part 747 of the National Credit Union Administration Rules and Regulations;

NOW THEREFORE, IT IS ORDERED THAT:

1. Joan Beseler is an institution-affiliated party in that she was the Chief Executive Officer of the First Hialeah Community Federal Credit Union, located in Hialeah, Florida.
2. The Stipulation and Consent to the Issuance of this Order of Prohibition is made a part hereof and is incorporated herein by reference.

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An Institution-Affiliated Party and)	Docket No. 05-1202-III
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FEDERAL CREDIT UNION,)	
<u>Hialeah, Florida</u>)	

STIPULATION AND CONSENT TO ISSUANCE OF ORDER OF PROHIBITION

The National Credit Union Administration Board (the “NCUA”), by and through its undersigned counsel, and Joan Beseler (“Beseler”), the former Chief Executive Officer of the First Hialeah Community Federal Credit Union, located in Hialeah, Florida, hereby agree and enter into this Stipulation and Consent to Issuance of Order of Prohibition (the “Stipulation”) as follows:

RECITALS

WHEREAS, the NCUA is of the opinion that grounds exist to initiate an administrative prohibition against Beseler pursuant to Section 206 of the Federal Credit Union Act, 12 U.S.C. § 1786;

WHEREAS, the NCUA and Beseler stipulate and agree to the terms of the Stipulation in consideration of the forbearance by the National Credit Union Administration Board from conducting an administrative hearing and imposing any remedial sanctions against Beseler;

WHEREAS, Beseler’s agreement to enter into this Stipulation, and consenting to the issuance of an Order of Prohibition does not constitute an admission of negligence, guilt or fault

by her on any grounds or claims the NCUA believes exist for the commencement of an administrative prohibition against Beseler;

WHEREAS, the NCUA and Beseler wish to avoid the time, cost and expense of administrative litigation and believe that the amicable and prompt settlement of the matter is in the best interest of the Parties;

WHEREAS, the NCUA and Beseler wish to settle amicably and promptly the matter, as well as any other administrative claims that could have been brought by the NCUA, based upon the terms set forth below in this Stipulation;

WHEREAS, in consideration of the mutual promises, undertakings, acknowledgements and representations contained herein, and other good and valuable consideration, the Parties hereto agree to resolve the claims as addressed herein;

NOW THEREFORE, in consideration of the promises and covenants contained herein, the Parties enter into the following Stipulation under the following terms and conditions:

1. Recitals: The above recitals are incorporated herein and made a part hereof and each of the Parties acknowledge that the recitals are true and correct to the Parties' knowledge, information, and belief and each is a material inducement to enter into this Stipulation.

2. Jurisdiction.

(a) Joan Beseler is an "institution-affiliated party" within the meaning of Section 206(r) of the Federal Credit Union Act, 12 U.S.C. § 1786(r).

(b) Pursuant to the authority vested in the Board of the National Credit Union Administration under Section 206(g) of the Federal Credit Union Act, 12 U.S.C. §1786(g), and Part 747 of the National Credit Union Administration Rules and Regulations, it is an appropriate federal agency to maintain enforcement proceedings against such institution-affiliated party.

Therefore, Joan Beseler is subject to the authority of the National Credit Union Administration to initiate and maintain prohibition proceedings against her.

3. Consideration.

(a) Beseler waives her right to the administrative hearing provided for in Section 206(g)(4) of the Federal Credit Union Act, 12 U.S.C. § 1786(g)(4). She further waives her right to seek judicial review of the Order of Prohibition or otherwise challenge the validity or legality of the Order;

(b) Beseler is prohibited from participating in any manner in the conduct of the affairs of any federally insured credit union and any other institution as defined in 12 U.S.C. § 1786(g)(7); and

(c) NCUA's rights to seek any remedy regarding Beseler pursuant to Section 206 of the Federal Credit Union Act, 12 U.S.C. § 1786 and Part 747 of the National Credit Union Administration Rules and Regulations as an "institution-affiliated party" or as the former Chief Executive Officer of the First Hialeah Community Federal Credit Union will effectively terminate upon the entry of the Order of Prohibition and no further action shall be taken by the NCUA against Beseler with respect to any issue raised herein.

4. Consent. Beseler consents to the issuance by the National Credit Union Administration Board of the accompanying Order of Prohibition. She further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of the law.

5. Finality. The Order of Prohibition is issued pursuant to Section 206(g) of the Federal Credit Union Act, 12 U.S.C. § 1786(g). Upon its issuance by the National Credit Union

