

balances for 1993 and 1994 and the 1995 - 1997 account statements all show an account balance of only xxx. Although a xxxx deposit may have been made in 1993, xxxxxxxxx may not have been aware that her mother made withdrawals prior to her death. However, the account statements sent to xxxxxxxxx, beginning with the March 1995 statement issued over 18 months prior to the liquidation of Germantown Federal Credit Union, put xxxxxxxxx on constructive, if not actual notice, that the account balance was only xxx. Taken together, the evidence does not substantiate an existing balance of xxxxx.

Order

For the reasons set forth above, it is ORDERED as follows:

The Board upholds the Liquidating Agent's decision to deny the xxxxxxxxxx claim in the amount of xxxxxxxxx and denies xxxxxxxxxx appeal.

The Board's decision constitutes a final agency determination. Pursuant to

12 CFR 745.203(c), this final determination is reviewable in accordance with the provisions of Chapter 7, Title 5, United States Code, by the United States Court of Appeals for the District of Columbia or the court of appeals for the Federal judicial circuit where the credit union's principal place of business was located. Such action must be filed not later than 60 days after the date of this final determination.

So ORDERED this 30th day of July, 1998 by the National Credit Union Administration Board.

Becky Baker

Secretary of the Board