

deceive the DEPARTMENT, the FDIC, BANK management, and the other members of BANK's Board of Directors. BANK has also discovered that Charles M. Theiler made numerous loans in violation of Neb. Rev. Stat. § 8-141 (Cum. Supp. 2004).

BANK has advised the DEPARTMENT that Charles M. Theiler has admitted to a BANK officer that he made false statements and false entries in the books of BANK, and created false papers with the intent to deceive, and that he committed violations of Section 8-141.

BANK and DEPARTMENT examiners have further discovered possible irregularities in deposit accounts held by Charles M. Theiler, his relatives, an associate, and related interests of Charles M. Theiler and his relatives.

Investigation and examination into all of these matters continue as of this date.

BANK has taken steps to prohibit Charles M. Theiler's entry into BANK.

There is a strong likelihood BANK will incur a substantial loss as a result of the actions of Charles M. Theiler.

Based on the examination findings to date, the DEPARTMENT concludes that Charles M. Theiler is conducting the business of BANK in an unsafe and unauthorized manner, is endangering the interests of the stockholders and depositors of BANK, no longer meets the requirements of Neb. Rev. Stat. § 8-139 (Reissue 1997) to act as an executive officer for BANK, and no longer meets the requirements of Neb. Rev. Stat. § 8-126 (Cum. Supp. 2004) to act as a member of the Board of Directors of BANK.

Based on the findings to date, the DEPARTMENT concludes that an emergency exists requiring immediate action by the DEPARTMENT, and that an Emergency Order should be entered directed to BANK, to BANK's Board of Directors, to BBI, to BBI's

Board of Directors, and to Charles M. Theiler in order to protect the interests of the depositors of the BANK and the safety and soundness of BANK.

IT IS THEREFORE ORDERED THAT:

1. The Executive Officer's License of Charles M. Theiler is hereby summarily revoked.
2. Charles M. Theiler's approval to act as a member of the Board of Directors of BANK is hereby summarily revoked.
3. Charles M. Theiler's authority to act as a shareholder of BBI is hereby summarily suspended.
4. Charles M. Theiler shall not act, or attempt to act, in any capacity for BANK or BBI, including acting as an officer, director, employee, agent, contractor, consultant, or counsel of BANK or BBI, whether in a paid or unpaid status. This paragraph shall not be construed to mean that Charles M. Theiler may not cooperate with BANK, the DEPARTMENT, or the FDIC in the investigation of these matters.
5. BANK and its Board of Directors shall take all necessary and appropriate action to preclude Charles M. Theiler from acting in any capacity for, or on behalf of, BANK, including acting as an officer, director, employee, agent, contractor, consultant, or counsel of BANK. This paragraph shall not be construed to mean that BANK may not seek the cooperation of Charles M. Theiler in the investigation of these matters.
6. BBI and its Board of Directors shall take all necessary and appropriate action to preclude Charles M. Theiler from acting in any capacity for, or on behalf of, BBI, including acting as an officer, director, employee, agent, contractor, consultant, or counsel of BBI.

7. BANK and its Board of Directors, and BBI and its Board of Directors, may pay Charles M. Theiler for any hours worked up to the time this Emergency Order is served on BANK and BBI. Neither BANK nor BBI shall make any further payments, whether styled as compensation or otherwise, to Charles M. Theiler without the express written permission of the DEPARTMENT.

8. BANK and its Board of Directors shall immediately freeze all deposit accounts, including demand and savings accounts, of Charles M. Theiler, Rhonda Theiler, John S. Theiler, Ty Erickson, Terri Erickson, Arthur G. Theiler, William M. Franken, Waco Wall Saw Company, and any other related interest of any such named person or entity, whether held individually or jointly with each other or any other person or party, unless otherwise permitted by the DEPARTMENT. Interest may continue to accrue on any accounts where interest was paid prior to March 29, 2006.

9. BANK and its Board of Directors shall withhold payment of any certificates of deposit held in the names of Charles M. Theiler, Rhonda Theiler, John S. Theiler, Ty Erickson, Terri Erickson, Arthur G. Theiler, William M. Franken, Waco Wall Saw Company, and any other related interest of any such named person or entity, whether held individually or jointly with each other or any other person or party, unless otherwise permitted by the DEPARTMENT. If any time certificate of deposit reaches maturity, interest shall continue to accrue at the rate paid prior to maturity.

10. BANK and its Board of Directors shall not permit Charles M. Theiler, Rhonda Theiler, John S. Theiler, Ty Erickson, Terri Erickson, Arthur G. Theiler, William M. Franken, Waco Wall Saw Company, or any other person on behalf of any related interest of any of such named persons and entities, access to any safety deposit boxes in BANK.

11. BANK and its Board of Directors shall make no loans, or advances on loans or lines of credit, to Charles M. Theiler, Rhonda Theiler, John S. Theiler, Ty Erickson, Terri Erickson, Arthur G. Theiler, William M. Franken, Waco Wall Saw Company, or any other related interest of any of such named persons and entities, without the specific written approval of the DEPARTMENT. Loans include overdraft privileges and deposit overline/overdraft accounts.

12. BANK and its Board of Directors shall, within seven (7) days of the date of this Emergency Order, evaluate all loans made to Charles M. Theiler, Rhonda Theiler, John S. Theiler, Waco Wall Saw Company, Ty Erickson, Terri Erickson, William M. Franken, Arthur G. Theiler, and any other related interest of any such named person or entity that are outstanding on the books of the Bank as of March 29, 2006, and immediately take all necessary and appropriate steps to secure and/or collect the loans.

13. BANK and its Board of Directors shall, within ten (10) days of the date of this Emergency Order, evaluate all loans made by BANK to Charles M. Theiler, Rhonda Theiler, John S. Theiler, Ty Erickson, Terri Erickson, Arthur G. Theiler, William M. Franken, Waco Wall Saw Company, and any other related interest of all of these persons and entities that are shown on the books of the Bank as having been paid off between January 1, 2000 and March 29, 2006, and determine whether such loans were actually paid, and if not, to immediately take all necessary and appropriate steps to obtain payment for such loans.

14. This Emergency Order is effective immediately.

15. This Emergency Order shall be served on BANK, BANK's Board of Directors, BBI, and BBI's Board of Directors, and shall be served by certified mail, return receipt requested, on Charles M. Theiler.

16. Any person affected by this Emergency Order may make written application to the Director of the DEPARTMENT for a hearing on this matter, and such hearing will be held as soon as possible and not later than ten (10) days after such application, unless by consent of the affected person, or the Hearing Officer in the matter sets a later date for good cause shown.

17. The provisions of this Emergency Order will remain effective and enforceable until such time as any provisions of this Emergency Order shall have been modified, terminated, suspended, or set aside.

DATED this 30th day of March, 2006.



STATE OF NEBRASKA
DEPARTMENT OF BANKING AND FINANCE

By: _____

John Munn, Director

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