

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D. C.

In the Matter of:)	
BORDER TRUST COMPANY)	STIPULATION AND CONSENT TO
AUGUSTA, MAINE)	THE ISSUANCE OF AN ORDER
)	TO CEASE AND DESIST
)	
)	FDIC-09-285b
(INSURED STATE NONMEMBER BANK))	
)	

Subject to the acceptance of this STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO CEASE AND DESIST ("CONSENT AGREEMENT") by the Federal Deposit Insurance Corporation ("FDIC"), it is hereby stipulated and agreed by and between a representative of the Legal Division of the FDIC and Border Trust Company, Augusta, Maine ("Bank"), as follows:

1 The Bank has been advised of its right to receive a NOTICE OF CHARGES AND OF HEARING detailing the unsafe or unsound banking practices and violations of law and/or regulations alleged to have been committed by the Bank and of its right to a hearing on the alleged charges under section 8(b)(1) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. § 1818(b)(1), and the Bank has waived those rights.

2 The Bank, solely for the purpose of this proceeding and without admitting or denying any of the alleged charges of unsafe or unsound banking practices and any violations of

law and/or regulations, hereby consents and agrees to the issuance of an ORDER TO CEASE AND DESIST ("ORDER") by the FDIC. The Bank further stipulates and agrees that such ORDER shall become effective upon its issuance by the FDIC and fully enforceable by the FDIC pursuant to the provisions of section 8(i)(1) of the Act, 12 U.S.C. § 1818(i)(1), subject only to the conditions set forth in Paragraph 3 of this CONSENT AGREEMENT.

3. In the event the FDIC accepts the CONSENT AGREEMENT and issues the ORDER, it is agreed that no action to enforce said ORDER in the United States District Court will be taken by the FDIC unless the Bank, its directors, officers, employees, agents, or other institution-affiliated parties (as that term is defined in Section 3(u) of the Act, 12 U.S.C. § 1813(u)), or its successors and assigns have violated or are about to violate any provision of the ORDER.

4. The Bank hereby waives:
- a) The receipt of a NOTICE OF CHARGES AND OF HEARING;
 - b) All defenses and counterclaims of any kind in this proceeding;
 - c) A hearing for the purpose of taking evidence on such charges;
 - d) The filing of PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW;
 - e) A recommended decision of an Administrative Law Judge;
 - f) Exceptions and briefs with respect to such recommended decision; and
 - g) Judicial review of the ORDER as provided by Section 8(h) of the Act, 12 U.S.C. § 1818(h), and/or any other challenge to the validity of the ORDER.

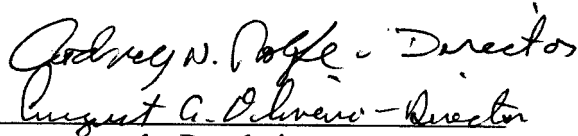
DATED: August , 2009

FDIC Legal Division
BY:

Border Trust Company
Augusta, Maine
BY:



Anne K. DeSimone
Senior Attorney



Pursuant to the Resolution
of the Board of Directors of
Border Trust Company

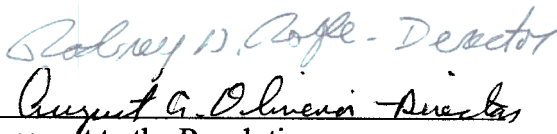
The State of Maine’s Superintendent of Financial Institutions (“Superintendent”) concurs in the ORDER referenced above, and the Superintendent and the Bank agree and stipulate that upon the issuance of the ORDER by the Federal Deposit Insurance Corporation all the terms and conditions of the ORDER shall be binding on the Bank and enforceable by the Superintendent to the same degree, extent and legal effect that such terms and conditions would be binding on the Bank and enforceable by the Superintendent if set forth in an Order issued independently by the Superintendent pursuant to the provisions of Title 9-B of the Maine Revised Statutes Annotated.

CONCUR
BY:

Border Trust Company
Augusta, Maine
BY:



Lloyd P. LaFountain, III
Superintendent
Maine Bureau of Financial Institutions



Pursuant to the Resolution
of the Board of Directors of
Border Trust Company

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