

STATE OF FLORIDA  
OFFICE OF FINANCIAL REGULATION  
DIVISION OF FINANCIAL INSTITUTIONS



IN RE:

LINDA GEORGE OAKS,

Administrative Proceeding No. 0203-B-4/05

\_\_\_\_\_ /

EMERGENCY ORDER OF SUSPENSION AND PROHIBITION  
WITH NOTICE OF RIGHTS

The State of Florida, Office of Financial Regulation (hereinafter "Office"), gives notice that it, having determined that Linda George Oaks (hereinafter "Oaks"), a financial institution-affiliated party, has been charged with a felony violation involving fraud, embezzlement, theft, or moral turpitude, files this Emergency Order of Suspension and Prohibition with Notice of Rights (hereinafter "Emergency Order"), pursuant to the provisions of sections 655.012 and 655.037(6)(b), Florida Statutes (2004), against Oaks, immediately suspending Oaks from serving as a financial institution-affiliated party of Citizens Bank-Wakulla, Gulf State Community Bank, and any other state financial institution, subsidiary, affiliate, or service corporation, and immediately prohibiting Oaks from participation in any manner in the affairs of Citizens Bank-Wakulla, Gulf State Community Bank, and any other state financial institution, subsidiary, affiliate, or service corporation.

STATEMENT OF FACTS AND CONCLUSIONS OF LAW

1. Citizens Bank-Wakulla is a Florida state chartered bank, charter number 10949, with its principal place of business at 2628 Crawfordville Highway, Crawfordville, Florida 32327, and thus a financial institution, as that term is defined in Section 655.005(1)(p), Florida Statutes.

2. Gulf State Community Bank is a Florida state chartered bank, charter number 10622, with its principal place of business at 206 Saint James Avenue, Carrabelle, Florida 32322, and thus a financial institution, as that term is defined in Section 655.005(1)(p), Florida Statutes.

3. During the period from approximately March 2004 through September 2004, and at all times material hereto, Oaks was an officer, agent, or employee for the Citizens Bank-Wakulla. Oaks was subsequently employed as an officer, agent, or employee for the Gulf State Community Bank. Thus, Oaks is a financial institution-affiliated party, as that term is defined in Section 655.005(1)(i), Florida Statutes.

4. On April 7, 2005, an Information was filed by the United States Attorney in the United States District Court, Northern District of Florida, Tallahassee Division, in the case styled United States of America v. Linda George Oaks, Case No. 4:05-cr-00022-SPM-WCS-1. The Information charged Oaks with one felony count violation of Title 18, United States Code, Section 656 (18 U.S.C. § 656), alleging that Oaks “knowingly, willfully, and with intent to injure and defraud said financial institution, did embezzle, abstract, purloin and misapply approximately \$24,000” from Citizens Bank-Wakulla. See attached Exhibit 1 which is hereby incorporated by reference as if set forth in its entirety.

5. Violation of 18 U.S.C. § 656, for amounts or values exceeding \$1000, is a felony punishable by a fine of up to \$1,000,000, imprisonment for up to 30 years, or both.

6. Violations of 18 U.S.C. § 656 involve fraud, theft, or moral turpitude.

7. The Office is responsible for the enforcement of the laws governing financial institutions authorized or chartered by the State of Florida, and financial institution-affiliated parties associated with such institutions, including but not limited to officers, employees, and agents, as well as former officers, employees, and agents. §§ 655.001, 655.005(1)(i) and (j),

655.012, 655.037(1), (6)(b), and (8), Fla. Stat.

8. Oaks's resignation, termination of employment or participation, or separation from Citizens Bank-Wakulla, does not affect the jurisdiction and authority of the Office to issue any notice and proceed against Oaks under section 655.037, Florida Statutes. Section 655.037(8) states:

The resignation, termination of employment or participation, or separation from a state financial institution, subsidiary, or service corporation of the financial institution-affiliated party does not affect the jurisdiction and authority of the office to issue any notice and proceed under this section against such financial institution-affiliated party, if such notice is served before the end of the 6-year period beginning on the date such person ceases to be such a financial institution-affiliated party with respect to such state financial institution, subsidiary, or service corporation.

9. Section 655.037(6)(b), Florida Statutes, states, in pertinent part:

Whenever any financial institution-affiliated party is charged with a felony in a state or federal court, or in the courts of any foreign country with which the United States maintains diplomatic relations, and such charge alleges violation of any law involving fraud, currency transaction reporting, money laundering, theft, or moral turpitude and the charge under such foreign law is equivalent to a felony charge under state or federal law, the office may enter an emergency order suspending such financial institution-affiliated party or restricting or prohibiting participation by such financial institution-affiliated party in the affairs of that particular state financial institution, subsidiary, or service corporation or any other financial institution, subsidiary, or service corporation, upon service of the order upon the state financial institution, subsidiary, or service corporation and the financial institution-affiliated party so charged.

10. Although it is unnecessary to find or demonstrate that the reasons for concluding that the procedures employed herein are fair under the circumstances, since this action is in the context of an emergency suspension and prohibition pursuant to the provisions of sections 655.031 and 655.037(6)(b), Florida Statutes, the Office nevertheless finds that the procedures used are fair, since the Office has merely used the procedures contained within the provisions of

sections 655.031 and 655.037(6)(b), Florida Statutes.

11. The Office concludes, pursuant to section 655.0321, Florida Statutes, that this Emergency Order shall be a public document, and should Oaks request a post-suspension hearing or appeal this Emergency Order, said hearings and proceedings shall be conducted as public proceedings, and that all documents related to such hearing be public documents unless subject to a protective order or made confidential pursuant to federal or Florida law.

#### AGENCY ACTION

12. Based on the foregoing Statement of Facts and Conclusions of Law, it is ORDERED that:

a. Oaks is hereby IMMEDIATELY suspended from any and all positions she holds at any state financial institution, subsidiary, affiliate, or service corporation.

b. Oaks is hereby IMMEDIATELY suspended from serving in the capacity of a financial institution-affiliated party, as the term is defined in section 655.005(1)(i), Florida Statutes, for any state financial institution, subsidiary, affiliate, or service corporation.

c. Oaks is hereby IMMEDIATELY prohibited from serving in the capacity of a financial institution-affiliated party, as the term is defined in section 655.005(1)(i), Florida Statutes, for any state financial institution, subsidiary, affiliate, or service corporation.

d. Oaks is hereby IMMEDIATELY prohibited from participation in any manner in the affairs of any state financial institution, subsidiary, service corporation, or affiliate. This prohibition includes, but is not limited to, matters of corporate governance and the following prohibitions regarding stock ownership, transfer, and voting:

(1) Oaks shall not vote any stock she owns or controls in any state financial institution, subsidiary, service corporation, or affiliate, without the prior written permission of the Office.

(2) Oaks shall not solicit, procure, vote, or attempt to vote any proxy, consent, or authorization with respect to any voting rights in any state financial institution, subsidiary, service corporation, or affiliate.

(3) Oaks shall not solicit or procure any additional stock in any other state financial institution, subsidiary, service corporation, or affiliate.

(4) Oaks shall not transfer or attempt to transfer: a) any stock she owns or controls in any state financial institution, subsidiary, service corporation, or affiliate, without the prior written permission of the Office; or b) any proxy, consent, or authorization with respect to any voting rights in any state financial institution, subsidiary, service corporation, or affiliate, without the prior written permission of the Office.

e. Oaks is hereby IMMEDIATELY suspended from serving as a consultant or independent contractor for any state financial institution, subsidiary, service corporation, or affiliate.

f. Oaks is hereby IMMEDIATELY prohibited from serving as a consultant or independent contractor, or other similar position, for any state financial institution, subsidiary, service corporation, or affiliate, unless, prior to accepting appointment with, and prior to providing any services to, any state financial institution, subsidiary, or service corporation as a consultant or independent contractor, or other similar position:

(1) Oaks provides a copy of this Emergency Order to the chief executive officer of the state financial institution, subsidiary, service corporation, or affiliate, with which Oaks seeks to serve as a consultant or independent contractor, or other similar position; and

(2) Oaks, and the chief executive officer and the chairman of the board of directors of the state financial institution, subsidiary, service corporation, or affiliate, with which Oaks seeks to

serve as a consultant or independent contractor, or other similar position, provides written notification to the Office describing in detail the duties and responsibilities of the services Oaks desires to provide to the state financial institution, subsidiary, service corporation, or affiliate; and

(3) the Office, in its sole discretion, authorizes Oaks to accept appointment with the state financial institution, subsidiary, service corporation, or affiliate, as a consultant or independent contractor, or other similar position.

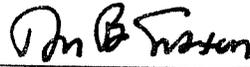
g. The Office will only rescind or otherwise modify this Emergency Order upon the issuance of an Office Order finding that Oaks has demonstrated through a post-suspension hearing that her service to or participation in the affairs of any state financial institution, subsidiary, or service corporation does not pose a threat to the interests of the state financial institution's depositors, members, or stockholders, or threaten to impair public confidence in the state financial institution.

h. This Emergency Order will remain in effect, unless otherwise rescinded or modified by Office Order, until the criminal charges are disposed of.

i. This Emergency Order shall become final if Oaks is convicted or pleads guilty or nolo contendere to any felony involving fraud, currency transaction reporting, money laundering, theft, or moral turpitude, whether or not an adjudication of guilt is entered by the Court.

j. This Emergency Order will dissolve in the event of an acquittal, or the final, unappealed dismissal of all charges against such person. However, such dissolution does not prohibit the Office from instituting proceedings under section 655.037(1), Florida Statutes.

DONE AND ORDERED in Tallahassee, Florida, this day of April 25, 2005.



Don B. Saxon, Commissioner  
Office of Financial Regulation

NOTICE OF RIGHTS

NOTICE IS HEREBY provided that the foregoing Emergency Order is entered pursuant to section 655.037(6)(b), Florida Statutes, and is accordingly effective immediately. Oaks is entitled to seek judicial review pursuant to section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure, and are commenced by filing the original notice of appeal with the Clerk of the Office of Financial Regulation, Legal Services Office, The Fletcher Building, Suite 526, 200 East Gaines Street, Tallahassee, Florida 32399-0379, and a copy of the notice of appeal, accompanied by the filing fees prescribed by law, with the First District Court of Appeal, 301 Martin Luther King, Jr. Blvd., Tallahassee, Florida 32399, or the District Court of Appeal in the appellate district where the party resides, or as otherwise provided by law. The notice of appeal must be filed within thirty (30) days of rendition of the Emergency Order.

Oaks may also request a post-suspension hearing, to be conducted in accordance with the provisions of sections 120.569 and 120.57, Florida Statutes. Requests for such a post-suspension hearing must comply with the provisions of Rule 28-106.104(2) and either Rule 28-106.201(2) or 28-106.301(2), Florida Administrative Code, and must be filed with:

Clerk  
Office of Financial Regulation  
Legal Services Offices  
The Fletcher Building, Suite 526  
200 East Gaines Street

Tallahassee, Florida 32399-0379  
(850) 410-9896

within twenty-one (21) days after Oaks, or her agent or representative, receives a copy of this Emergency Order. Should Oaks request a post-suspension hearing, she will have the right to be represented by counsel or other qualified representative; to offer testimony, either written or oral; to call and cross-examine witnesses; and to have subpoenas and subpoenas duces tecum issued on Oaks's behalf. Failure to respond within twenty-one (21) days of receipt of this Emergency Order shall be deemed to be a waiver of all rights to a post-suspension hearing, and this Emergency Order shall, without further notice, remain in effect until the criminal charges are disposed of. If Oaks is convicted of or pleads guilty or nolo contendere to the charges alleged, regardless of whether an adjudication of guilt is entered by the court, the Emergency Order shall become final.

Note that the acquittal of the financial institution-affiliated party charged, or the final unappealed dismissal of all charges against such person, will dissolve the Emergency Order, but will not prohibit the Office from instituting proceedings under section 655.037(1), Florida Statutes. Pursuant to section 120.573, Florida Statutes, Oaks is advised that mediation is not available.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Emergency Order of Suspension and Prohibition with Notice of Rights has been furnished via certified U.S. Mail, return receipt requested, delivery to addressee only, to Ms. Linda George Oaks, 25 Wythe Court, Crawfordville, Florida 32327, and via certified U.S. Mail, return receipt requested, to Citizens Bank-Wakulla, through its Senior Vice President and Director, Ms. Jo Anne Strickland, at 2628

Crawfordville Highway, Crawfordville, Florida 32327, and via certified U.S. Mail, return receipt requested, to Gulf State Community Bank, through its President and Chief Executive Officer, Mr. John C. Butler, II, at 206 Saint James Avenue, Carrabelle, Florida 32322, this day of April 25, 2005.



Bruce Kuhse (Fla. Bar #0308470)  
Assistant General Counsel  
Office of Financial Regulation  
The Fletcher Building, Suite 526  
200 East Gaines Street  
Tallahassee, Florida 32399-0379  
Tel: (850) 410-9896

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

UNITED STATES OF AMERICA

v.

INFORMATION

LINDA GEORGE OAKS  
\_\_\_\_\_ /

4:05cr22 - SPM

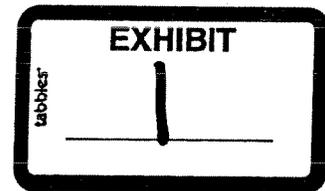
THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

That between in or about March 2004 and on or about September 24, 2004, in the  
Northern District of Florida, the defendant,

LINDA GEORGE OAKS,

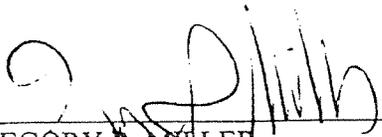
being an agent, and employee of Citizens Bank - Wakulla in Crawfordville, Florida, a financial  
institution insured by the Federal Deposit Insurance Corporation, knowingly, willfully, and with  
intent to injure and defraud said financial institution, did embezzle, abstract, purloin and  
misapply approximately \$24,000 in U.S. currency and funds belonging, pledged and otherwise

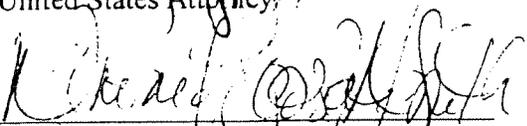


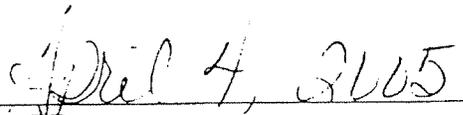
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE, FLORIDA  
05 APR -7 PM 1:10

FILED

intrusted to the custody and care of Citizens Bank - Wakulla, in violation of Title 18, United States Code, Section 656.

  
\_\_\_\_\_  
GREGORY R. MILLER  
United States Attorney

  
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WINIFRED L. ACOSTA NESMITH  
Assistant United States Attorney

  
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DATE