

STATE OF FLORIDA
OFFICE OF FINANCIAL REGULATION



IN RE:
MICHAEL AUBREY GROVES

Admin. Proceeding No.: 0843-FI-05/11

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 Michael Aubrey Groves (hereinafter "Groves"), a financial institution-affiliated party, has entered a plea of guilty to a felony violation involving bank fraud, 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, against Groves, immediately suspending Groves from serving as an employee of Campus U.S.A. Credit Union ("Credit Union"), and as a financial institution-affiliated party of any state financial institution, subsidiary, or service corporation, and immediately prohibiting Groves from participation in any manner in the affairs of any state financial institution, subsidiary, or service corporation.

STATEMENT OF FACTS AND CONCLUSIONS OF LAW

1. Campus U.S.A. Credit Union is a state chartered credit union, charter number 662, with its principal place of business at 14007 NW 41st Road, Gainesville, Florida 32614, and is a state financial institution, as the term is defined in Section 655.005(1)(p), Florida Statutes.
2. Between November 6, 2000 and March 16, 2009, Groves was an employee of the Credit Union, making him a financial institution-affiliated party as that term is defined in Section 655.005(1)(i), Florida Statutes.

3. At all times material hereto, Groves was the manager of the Credit Union's Ocala Silver Springs Branch and had access to personal and account information of Credit Union members.
4. Between June 1, 2007 and March, 2009, Groves used this access to information to take unauthorized loan advances against member accounts and deposit the funds into his own account; originate and disburse funds from fictitious loans; and unlawfully withdraw funds from a Credit Union member's personal account. These actions caused a loss of more than \$50,000.00 to the Credit Union.
5. On March 16, 2009 his employment with the Credit Union was terminated.
6. On October 23, 2009, the Office of the State Attorney, Fifth Judicial Circuit in and for Marion County, Florida, filed an Information charging Groves with three felonies: Criminal Use of Personal Identification Information, Offenses Against Intellectual Property, and Grand Theft of \$20,000.00 or More, But Less Than \$100,000.00 resulting from his unlawful acts while in the employ of the Credit Union.
7. The case, styled State of Florida v. Michael Aubrey Groves was assigned case number 2009-CF-003971-A-X. The Information, which is attached as Exhibit 1, is hereby incorporated by reference as if set forth in its entirety.
8. On February 8, 2011, Groves entered into a plea agreement with the Office of the State Attorney in which he agreed to plead guilty to a single count of Organized Scheme to Defraud- \$50,000 or More, a first degree felony punishable by up to 30 years in prison.
9. On the same day, the Court accepted Groves' guilty plea and adjudicated him guilty of Organized Scheme to Defraud, a violation of Section 817.034(4)(a)1, Florida Statutes.

10. In accordance with the plea agreement, Groves was sentenced to ten years of probation and ordered to pay restitution.
11. 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 persons associated with such institutions, including, but not limited to, employees. Sections 655.001, 655.005(1)(i) and (j), 655.012, 655.037(1), (6)(b), and (8), Florida Statutes.
12. Groves' resignation, termination of employment or participation, or separation from the Credit Union does not affect the jurisdiction and authority of the Office to issue any notice and proceed against Groves under Section 655.037, Florida Statutes. Section 655.037(8), Florida Statutes, 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.

12. 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.

13. The possibility of Groves again gaining employment as a financial institution-affiliated party

of a state financial institution, subsidiary or service corporation, poses a threat to the interests of the state financial institution, subsidiary, or service corporation, and poses a threat to the interests of the state financial institution's, subsidiary's, or service corporation's depositors, members, or stockholders. Furthermore, Groves again gaining employment as a financial institution-affiliated party of a state financial institution, subsidiary, or service corporation impairs public confidence in the state financial institution, subsidiary, or service corporation, and the state financial institution system in general.

14. Although it is unnecessary to find or demonstrate that an immediate danger to the public health, safety, or welfare exists in the context of an emergency suspension and prohibition pursuant to the provisions of Section 655.037(6)(b), Florida Statutes, the Office nevertheless finds that an immediate danger to the public welfare exists.
15. 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 655.012(3) 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 655.012(3) and 655.037(6)(b), Florida Statutes.
16. The Office concludes that this Emergency Order is appropriate and authorized pursuant to Section 655.037(6)(b), Florida Statutes, because Groves has pled guilty to committing a felony involving bank fraud while he was a financial institution affiliated party.
17. The Office further concludes, pursuant to Section 655.0321, Florida Statutes, that this Emergency Order shall be a public document, and should Groves 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

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

- a. Groves is hereby IMMEDIATELY suspended from any and all positions he holds at any state financial institution, subsidiary, or service corporation.
- b. Groves 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, of any state financial institution, subsidiary, or service corporation he may be a financial institution-affiliated party of.
- c. Groves 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, of any state financial institution, subsidiary, or service corporation.
- d. Groves 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) Groves shall not vote any stock he owns or controls in any state financial institution, any subsidiary, service corporation or any affiliate, without the prior written permission of the Office.
 - (2) Groves 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, or any subsidiary, service corporation or affiliate.

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

(4) Groves shall not transfer or attempt to transfer: a) any stock he owns or controls in any state financial institution, or any 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, or any subsidiary, service corporation or affiliate, without the prior written permission of the Office.

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

f. Groves is hereby IMMEDIATELY prohibited from serving as a consultant or independent contractor, or other similar position, for any state financial institution, or any 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) Groves provides a copy of this Emergency Order to the chief executive officer of the state financial institution, subsidiary, service corporation or affiliate, with which Groves seeks to serve as a consultant or independent contractor, or other similar position; and

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

corporation or affiliate; and

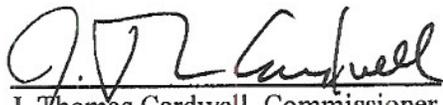
(3) the Office, in its sole discretion, authorizes Groves to accept appointment with the state financial institution, or subsidiary, service corporation or affiliate, as a consultant or independent contractor, or other similar position.

g. The Office will only rescind or otherwise modify this Emergency Order upon the issuance of an Office order finding that Groves has demonstrated through a post suspension hearing that his continued service to or participation in the affairs of the 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.

i. This Emergency Order will dissolve in the event of an acquittal, or the final, unappealed dismissal of all charges against Groves. 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 20th day of May, 2011.


J. Thomas Cardwell, 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. GROVES IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING THE ORIGINAL NOTICE OF APPEAL WITH THE AGENCY CLERK FOR THE OFFICE OF FINANCIAL REGULATION AS FOLLOWS:

By Mail or Facsimile

Agency Clerk
Office of Financial Regulation
P.O. Box 8050
Tallahassee, Florida 32314-8050
Phone: (850) 410-9896
Fax: (850) 410-9663

OR

By Hand Delivery

Agency Clerk
Office of Financial Regulation
General Counsel's Office
The Fletcher Building, Suite 118
101 East Gaines Street
Tallahassee, Florida 32399-0379
Phone: (850) 410-9896

A COPY OF THE NOTICE OF APPEAL, ACCOMPANIED BY THE FILING FEES AS REQUIRED BY LAW, MUST ALSO BE FILED WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, 2000 DRAYTON DRIVE, TALLAHASSEE, FLORIDA 32399-0950, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. **THE NOTICE OF APPEAL MUST BE FILED WITH BOTH THE AGENCY CLERK FOR THE OFFICE OF FINANCIAL REGULATION AND THE DISTRICT COURT OF APPEAL WITHIN 30 DAYS OF THE RENDITION OF THE ORDER TO BE REVIEWED.**

GROVES 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 RULE 28-106.2015(5) FLORIDA ADMINISTRATIVE CODE, AND MUST BE FILED WITH:

By Mail or Facsimile

OR

By Hand Delivery

Office of Financial Regulation
P.O. Box 8050
Tallahassee, Florida 32314-8050
Phone: (850) 410-9896
Fax: (850) 410-9663

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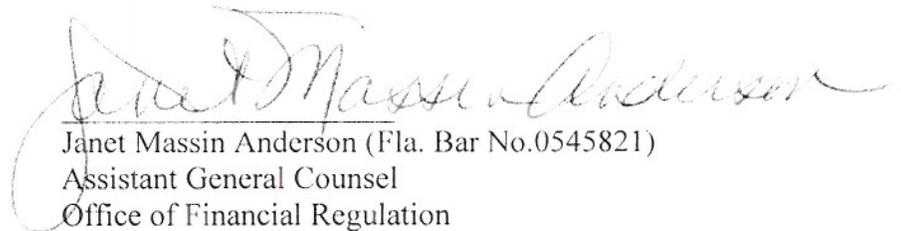
WITHIN TWENTY-ONE (21) DAYS AFTER GROVES, OR HIS AGENT OR REPRESENTATIVE, RECEIVES THIS ORDER. SHOULD GROVES REQUEST A POST-SUSPENSION HEARING, HE WILL HAVE THE RIGHT TO BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE; TO OFFER TESTIMONY, EITHER WRITTEN OR ORAL; TO CALL AND CROSS EXAMINE WITNESSES; AND TO HAVE SUBPOENAS AND SUBPOENAS DUCES TECUM ISSUED ON HIS BEHALF. FAILURE TO RESPOND WITHIN TWENTY ONE (21) DAYS OF RECEIPT OF THIS EMERGENCY ORDER SHALL BE DEEMED A WAIVER OF ALL RIGHTS TO A POST-SUSPENSION HEARING AND THIS EMERGENCY ORDER SHALL, WITHOUT FURTHER NOTICE REMAIN IN EFFECT.

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 120.73, FLORIDA STATUTES, GROVES IS ADVISED THAT MEDIATION IS NOT AVAILABLE.

AMENDED 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, Delivery to Addressee Only, return receipt requested, to: Michael Aubrey Groves, 9118 SW 122ND Street, Gainesville, Florida, 32608, and Larry Scott, President and Chief Executive Officer, Campus U.S.A. Credit Union, 14007 NW 1st Road, Jonesville, Florida 32669, this 13 day of May, 2011.



Janet Massin Anderson (Fla. Bar No.0545821)
Assistant General Counsel
Office of Financial Regulation
The Fletcher Building, Suite 624
200 East Gaines Street
Tallahassee, Florida 32399-0371
Tel: 850-410-9880

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA,
IN AND FOR MARION COUNTY IN THE YEAR OF OUR LORD, TWO THOUSAND-NINE.

THE STATE OF FLORIDA

CASE NO. 2009-CF-003971-A-X

FILED
FELONY

vs

INFORMATION

MICHAEL AUBREY GROVES

2009 OCT 23 AM 10:14

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

DAVID R. ELLSPERMANN
CLERK CIRCUIT COURT

BRAD KING, State Attorney of the Fifth Judicial Circuit of the State of Florida, in and for Marion County prosecuting for the State of Florida, by and through the undersigned Assistant State Attorney, in the said County, under oath, information makes that MICHAEL AUBREY GROVES (R/G: W/M, DOB: 11/30/1976, SSN: [REDACTED] in the County of Marion, and the State of Florida, on or about the 1st day of June in the year of Our Lord, two thousand-seven through the 16th day of March in the year of Our Lord, two thousand-nine:

COUNT I
CRIMINAL USE OF PERSONAL IDENTIFICATION INFORMATION (F1)
817.568(2)(a)

did unlawfully, willfully and without authorization fraudulently use, or possess with the intent to fraudulently use, personal identification information concerning an individual, to wit: the personal identification of Brandon Todd Overstreet, without first obtaining that individual's consent, with the intent to either temporarily or permanently deprive Brandon Todd Overstreet, or C.O. Agri Holding LLC, or Campus USA Credit Union, of United States Currency valued at more than \$50,000, without first obtaining consent in violation of Florida Statute 817.568(2)(a);

COUNT II
OFFENSES AGAINST INTELLECTUAL PROPERTY (F2)
815.04(3) and 815.04(4)(a)

and the Assistant State Attorney upon his oath aforesaid, further information makes that MICHAEL AUBREY GROVES (R/G: W/M, DOB: 11/30/1976, SSN: [REDACTED] in the County of Marion, and the State of Florida, on or about the 1st day of June in the year of Our Lord, two thousand-seven through the 16th day of March in the year of Our Lord, two thousand-nine, in the County and State aforesaid did willfully, knowingly, and without authorization disclose or take data, programs or supporting documentation which is a trade secret, or is confidential as provided by law, residing or existing internal or external to a computer, computer system or computer network, in violation of Florida Statute section 815.04(3) and 815.04(4)(a);

COUNT III
GRAND THEFT-\$20,000 OR MORE BUT LESS THAN \$100,000 (F2)
812.014(1) AND 812.014(2)(c)1

and the Assistant State Attorney upon his oath aforesaid, further information makes that MICHAEL AUBREY GROVES (R/G: W/M, DOB: 11/30/1976, SSN: [REDACTED] in the County of Marion, and the State of Florida, on or about the 1st day of June in the year of Our Lord, two thousand-seven through the 16th day of March in the year of Our Lord, two thousand-nine, in the County and State aforesaid did unlawfully and knowingly obtain, use or endeavor to obtain or use the property of Campus U.S.A. Credit Union, to-wit: money, of the value of twenty thousand dollars (\$20,000) or more, but less than one hundred thousand dollars (\$100,000.00), with the intent to either temporarily or permanently deprive of a right to the property or a benefit thereof, or did appropriate the said property to his own use or the use of any person not entitled thereto, in violation of Florida Statutes 812.014(1) and 812.014(2)(c)1;

contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Florida.

STATE OF FLORIDA, COUNTY OF MARION

Personally appeared before me, BRAD KING, State Attorney for the Fifth Judicial Circuit, State of Florida, in and for Marion County, State of Florida, or his duly designated Assistant State Attorney, who first being sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged. Prosecution instituted in good faith and subscribed under oath, certifying he has received testimony under oath from the material witness or witnesses of the offense.

Travis Munden

Travis Munden, Assistant to BRAD KING State Attorney,
Fifth Judicial Circuit of Florida
Florida Bar No. 0051140

Sworn to and subscribed before me this 23 day of October 2009.

Travis Munden
Notary Public



TERESA K. PARKER
MY COMMISSION # DD 716267 EXPIRES
September 21, 2011
BONDED THRU TROY FAIN INSURANCE, INC

Presented and filed in the CIRCUIT Court this 23 day of October 2009.

DAVID R. ELLSPERMANN
CLERK OF CIRCUIT COURT
David R. Ellspermann

