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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF BANKING AND)
FINANCE)

)
Petitioner,)

)
vs.) DOAH No. 92-2128

) DBF No. 3026-B-3/92
ERNEST WAYNE BULLUCK,)

)
Respondent)

_____)

STIPULATION AND CONSENT TO ISSUANCE OF
FINAL ORDER OF REMOVAL AND **PROHIBITION**

The Florida Department of Banking and Finance, Division of Banking ("Department") and ERNEST WAYNE BULLUCK ("BULLUCK"), a former vice president of Central Bank of Tampa, agree to the following on the date last executed below:

1. Consideration. The Department, based upon information reported to it, including an adjudication of guilt for violation of federal criminal statutes in the United States District

Court for the Middle District of Florida, Tampa Division, is of the opinion that grounds exist to continue its administrative proceedings against BULLUCK pursuant to Section 655.037,

Florida Statutes. It is the desire of BULLUCK to cooperate with the Department and to also avoid the expense of administrative litigation. As such, BULLUCK stipulates and agrees to

the following terms in consideration of the Department's forbearance from continuing its administrative action against BULLUCK.

2. Jurisdiction. Central Bank of Tampa is a state- chartered financial institution, operating under charter number 425, which is under the jurisdiction of the Florida Department

of Banking and Finance. BULLUCK, as a former vice president of a state-chartered financial institution, is subject to the Department's authority to initiate and maintain removal and

prohibition proceedings against him pursuant to 655.037, Florida Statutes.

3. Consent. BULLUCK consents to issuance, by the Department, of the

accompanying Final Order of Removal and **Prohibition** ("Order") deeming him ineligible for election to any official position in or employment by any financial institution in this State, except with the written consent of the Department, from the effective date of the Department's Final Order. He

further agrees to comply with its terms upon issuance and stipulates that the Order complies with all applicable requirements of law. Furthermore, BULLUCK withdraws his Request For

Formal Hearing and consents to the entry of an order by the Division of Administrative Hearings relinquishing jurisdiction of this matter to allow for the entry of the Order.

4. Finality. The Order is issued pursuant to Section 655.037, Florida Statutes, and upon its issuance shall be a Final Administrative Order.

5. Effectiveness. The Order is effective upon its issuance by the Department. It is fully enforceable by the Department under the provisions of Section 655.031 and 655.037, Florida Statutes, as well as Chapter 120, Florida Statutes.

6. Waivers. BULLUCK, knowingly and voluntarily waives:

1) Any right to an administrative hearing provided by Section 655.037 or Chapter 120, Florida Statutes;

2) Any requirement that the Department's Final Order contain stated Findings of Fact and Conclusions of Law or a Notice of Rights;

3) Any right to issuance of a Recommended Order by a Hearing Officer from the Division of Administrative Hearings or from the Department; and

4) Any and all rights to object to or challenge in any judicial proceeding or forum, including but not limited to, an appeal pursuant to Section 120.68, Florida Statutes, any aspect, provision or requirement concerning content, issuance, procedure, or timeliness of the Department's Final Order.

7. The Department and Bulluck agree that each shall be solely responsible for their own separate costs and expenses, including legal fees, incurred as a result of or relating to this matter up to and including the Final Order incorporating this Stipulation.

8. The parties herein acknowledge that they have read this Stipulation and Consent to Issuance of Final Order of Removal and **Prohibition** and fully understand the rights, obligations, terms, conditions, duties and responsibilities with respect to its contents and are acting upon the advice of good and competent counsel.

WHEREFORE, in consideration of the foregoing, the Department and BULLUCK executed this Stipulation and Consent to Issuance of a Final Order of Removal and **Prohibition**, as attached hereto, on the date last executed below.

/S/ _____ 8/11/93
ERNEST WAYNE BULLUCK Date
Respondent

/S/ _____ 8/24/93
Terence M. Straub, Director Date
Division of Banking
DEPARTMENT OF BANKING AND FINANCE

STATE OF FLORIDA
DEPARTMENT OF BANKING AND FINANCE
DIVISION OF BANKING
IN RE:

ERNEST WAYNE BULLUCK,) Administrative Proceeding
) No. 3026-B-3/92
Respondent.)

_____)

FINAL ORDER

GERALD LEWIS, as Comptroller of the State of Florida and Head of the Department of Banking and Finance, Division of Banking ("Department") having the power to administer and provide for the enforcement of Title XXXVIII, Florida Statutes, and upon due consideration and being fully advised of the subject matter herein, Orders:

THAT pursuant to Section 655.012 and 655.037, Florida Statutes, and pursuant to the Stipulation and Consent to Issuance of Final Order of Removal and **Prohibition** dated August 24, 1993, entered into between the Department and ERNEST WAYNE BULLUCK and which is hereby incorporated by reference, ERNEST WAYNE BULLUCK is hereby deemed ineligible for election to any official position in or employment by any financial institution in this state except with prior written consent of the Department, from the effective date of this Final Order.

DONE AND ORDERED in Tallahassee, Leon County, Florida, this 26th day of August, 1993.

/S/ _____
GERALD LEWIS, as Comptroller of the
State of Florida and Head of the
Department of Banking and Finance

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Order was served by U.S. Certified Mail, Return Receipt Requested, to ERNEST WAYNE BULLUCK, 11720 Spanish Lake Drive, Tampa, Florida 33635, to Daniel Fernandez, Esquire, Fernandez and Benito, P.A., Attorneys for Bulluck, 1 Harbour Place, 777 South Harbour Island Blvd., Suite 280, Tampa, Florida 33602 and Robert Covington, president, Central Bank of Tampa, 2307 West Kennedy Blvd., Box 4115, Tampa, Florida 33677 this 26th day of August, 1993.

/S/ _____
H. Richard Bisbee
Deputy General Counsel
Office of Comptroller
The Capitol
Suite 1302
Tallahassee, Florida 32399
(904) 488-9896

CC:Susan E. Steinberg
Assistant General Counsel
Office of Comptroller
1313 Tampa Street, Suite 615
Tampa, Florida 33602-3394

Terence M. Straub, Director
Division of Banking
Department of Banking and Finance

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