

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
Alexandria, Virginia**

_____)
In the Matter of)

Linda C. Germann)
_____)

Docket No.: 18-0017-R1

NOTICE OF PROHIBITION

WHEREAS on or about December 7, 2017, Linda C. Germann (“Germann”) was sentenced on the charge of Bank Theft, Class C felony, 18 U.S.C. § 2113(b), a charge to which she previously pleaded guilty, in the United States District Court for the Western District of Wisconsin, in connection with her employment at Altra Federal Credit Union;

WHEREAS a violation of 18 U.S.C. § 2113(b) is a criminal offense involving dishonesty and breach of trust;

NOW, THEREFORE, YOU ARE HEREBY NOTIFIED THAT:

1. Pursuant to 12 U.S.C. § 1785(d)(1)(A) and 12 U.S.C. § 1829(a)(1)(A), Germann is prohibited from becoming an “institution affiliated party” of any insured depository institution, as defined in 12 U.S.C. § 1786(r); otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution; and owning or controlling, directly or indirectly, any insured depository institution;


2. Pursuant to 12 U.S.C. § 1785(d)(1)(B) and 12 U.S.C. § 1829(a)(1)(B), no insured depository institution may permit Germann to engage in any conduct or continue in any relationship prohibited in paragraph 1 above;

3. Pursuant to 12 U.S.C. § 1785(d)(3) and 12 U.S.C. § 1829(b), whoever knowingly violates paragraph 1 or 2 above is subject to a fine of not more than \$1 million for each day such prohibition is violated, or imprisonment for not more than five (5) years, or both;

4. The "Judgment in a Criminal Case" document, Case No. 0758 3:17CR00078-001, is made a part hereof and is incorporated herein by reference; and

ISSUED this 7th day of March, 2018.

NATIONAL CREDIT UNION ADMINISTRATION

By: 
Rob F. Robine
Trial Attorney
NCUA Office of General Counsel

United States District Court

Western District of Wisconsin

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE
(for offenses committed on or after November 1, 1987)

V.

Case Number: 0758 3:17CR00078-001

Linda C. Germann

Defendant's Attorney: Christopher T. Van Wagner

The defendant, Linda C. Germann, pleaded guilty to Count 1 of the information.

The defendant has been advised of her right to appeal.

ACCORDINGLY, the court has adjudicated defendant guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 U.S.C. § 2113(b)	Bank Theft, Class C felony	March 18, 2014	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Defendant's Date of Birth: [REDACTED] 1960

December 7, 2017

Defendant's USM No.: 11056-090

Date of Imposition of Judgment

Defendant's Residence Address: [REDACTED]
Onalaska, WI [REDACTED]

/s/ William Conley

Defendant's Mailing Address: Same as above

William M. Conley
District Judge

December 7, 2017

Date Signed:

IMPRISONMENT

Not imposed.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

United States Marshal
By _____
Deputy Marshal

PROBATION

As to Count 1 of the information, it is adjudged that the defendant is to serve a three-year term of probation. In light of the nature of the offense and the defendant's personal history, I adopt condition numbers **1 through 4, 7 through 9, and 11 through 17** as proposed and justified in the presentence report, noting that neither party has raised any objections to those proposals.

If, at any time during the term of probation, either the defendant or the supervising probation officer believes that any of the conditions imposed today are no longer appropriate, either one may petition the Court for review.

The instant offense is not drug related and the defendant has no history of drug use. Therefore, the requirement for drug testing set forth at 18 U.S.C. § 3563(a)(5) is waived.

Defendant is to abide by the statutory mandatory conditions.

Statutory Mandatory Conditions

Defendant shall report to the probation office in the district to which defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

Defendant shall not commit another federal, state, or local crime.

Defendant shall not illegally possess a controlled substance.

If defendant has been convicted of a felony, defendant shall not possess a firearm, destructive device, or other dangerous weapon while on supervised release.

Defendant shall cooperate with the collection of DNA by the U.S. Justice Department and/or the U.S. Probation and Pretrial Services Office as required by Public Law 108-405.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Financial Penalties sheet of this judgment.

Defendant shall comply with the standard and special conditions that have been adopted by this court.

Standard Conditions of Supervision

- 1) Defendant shall not leave the judicial district in which defendant is being supervised without the permission of the Court or probation officer;
- 2) Defendant is to report to the probation office as directed by the Court or probation officer and shall submit a complete written report within the first five days of each month, answer inquiries by the probation officer, and follow the officer's instructions. The monthly report and the answer to inquiries shall be truthful in all respects unless a fully truthful statement would tend to incriminate defendant, in violation of defendant's constitutional rights, in which case defendant has the right to remain silent;
- 3) Defendant shall maintain lawful employment, seek lawful employment, or enroll and participate in a course of study or vocational training that will equip defendant for suitable employment, unless excused by the probation officer or the Court;

- 4) Defendant shall notify the probation officer within seventy-two hours of any change in residence, employer, or any change in job classification;
- 5) Not imposed;
- 6) Not imposed;
- 7) Defendant shall not meet, communicate, or spend time with any persons defendant knows to be engaged in criminal activity or planning to engage in criminal activity;
- 8) Defendant shall permit a probation officer to visit defendant at home, work, or elsewhere at any reasonable time and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 9) Defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 10) Not imposed;
- 11) As directed by the probation officer, defendant shall notify third parties of risks that may be occasioned by defendant's criminal record or personal history or characteristics. The probation officer may also take steps to confirm defendant's compliance with this notification requirement or provide such notifications directly to third parties.

Special Conditions of Release

- 12) Provide the supervising U.S. probation officer any and all requested financial information, including copies of state and federal tax returns.
- 13) Refrain from incurring new credit charges, opening additional lines of credit or opening other financial accounts without the prior approval of the supervising U.S. probation officer.
- 14) Not transfer, give away, sell or otherwise convey any asset worth more than \$200 without the prior approval of the supervising U.S. probation officer.
- 15) File all tax returns in a timely manner and provide copies of all federal and state income returns to the supervising U.S. probation officer
- 16) Refrain from seeking or maintaining any employment that includes unsupervised financial or fiduciary-related duties, without the prior approval of the supervising U.S. probation officer.
- 17) Abstain from any form of gambling and do not enter any casino or establishment where gambling is the primary business.

ACKNOWLEDGMENT OF CONDITIONS

I have read or have had read to me the conditions of supervision set forth in this judgment, and I fully understand them. I have been provided a copy of them. I understand that upon finding a violation of probation or supervised release, the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

Defendant

Date

U.S. Probation Officer

Date

CRIMINAL MONETARY PENALTIES

Defendant shall pay the following total financial penalties in accordance with the schedule of payments set forth below.

<u>Count</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
1	\$100.00	\$0.00	\$0.00
Total	\$100.00	\$0.00	\$0.00

It is adjudged that the defendant is to pay a \$100.00 criminal assessment penalty to the Clerk of Court for the Western District of Wisconsin immediately following sentencing.

RESTITUTION

Ordinarily, the defendant is to pay mandatory restitution to the U.S. Clerk of Court for the Western District of Wisconsin to be disbursed to the victim, Altra Federal Credit Union. The defendant having already reimbursed the victim the full amount, specifically \$14,813.19, immediately upon discovery of her conduct by the credit union -- no restitution is ordered.

The defendant does not have the means to pay a fine under § 5E1.2(c) without impairing her ability to support herself and her family so I will impose no fine.

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order:

- (1) assessment;
- (2) restitution;
- (3) fine principal;
- (4) cost of prosecution;
- (5) interest;
- (6) penalties.

The total fine and other monetary penalties shall be due in full immediately unless otherwise stated elsewhere.

Unless the court has expressly ordered otherwise in the special instructions above, if the judgment imposes a period of imprisonment, payment of monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of court, unless otherwise directed by the court, the probation officer, or the United States Attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

In the event of a civil settlement between victim and defendant, defendant must provide evidence of such payments or settlement to the Court, U.S. Probation office, and U.S. Attorney's office so that defendant's account can be credited.