

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCE AND CORPORATE SECURITIES

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In the Matter of:

LIBERTYBANK, an Oregon State
Chartered Commercial Bank.

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**DECLARATION OF INSOLVENCY
AND
APPOINTMENT OF RECEIVER**

WHEREAS, LibertyBank, headquartered in Eugene, Oregon, is a duly organized Oregon banking corporation, chartered by the state of Oregon, and as such, is subject to the Oregon Bank Act, ORS chapters 706 through 716; and

WHEREAS, pursuant to Oregon statutes, the Director of the Department of Consumer and Business Services (“Director”) is the official charged with administering and discharging the Oregon Bank Act, to ensure proper management and operation of Oregon banks to protect depositors; and

WHEREAS, ORS chapter 711 provides procedures to be followed by the Director when a bank is declared insolvent; and

WHEREAS, ORS 711.405 defines insolvency as follows: “An institution will be deemed insolvent when any of the following occurs:

(1) The fair market value of the assets of the institution is insufficient to pay its liabilities, other than liability on account of capital debentures. In determining the value of its assets, bonds held by the institution shall be valued in accordance with rules promulgated by the Director of the Department of Consumer and Business Services pursuant to ORS 183.310, 183.315, 183.330, 183.335 and 183.341 to 183.410.

(2) An Oregon stock bank fails to make good its reserve requirements under applicable law for a period of 30 days.

(3) The institution cannot meet its obligations or the demands upon it as they become due.” and

WHEREAS, after a thorough investigation of the affairs and condition of LibertyBank, headquartered in Eugene, Oregon, the Director is satisfied that the bank is insolvent within the meaning of ORS 711.405 and as such, the situation presents an immediate danger to the public welfare justifying this action;

NOW, THEREFORE, BE IT RESOLVED AND DECLARED that pursuant to ORS 711.419, the Director does hereby take charge LibertyBank, headquartered in Eugene, Oregon, and all of its properties and assets.

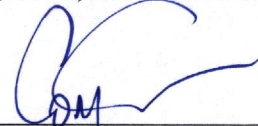
Division of Finance and Corporate Securities
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387



1 **BE IT FURTHER RESOLVED AND DECLARED** that being satisfied that
2 LibertyBank, headquartered in Eugene Oregon, Oregon cannot resume business or liquidate its
3 indebtedness to the satisfaction of depositors and creditors and knowing further that the deposits
4 of said bank are fully or partially insured by the Federal Deposit Insurance Corporation, the
5 Director does hereby appoint the Federal Deposit Insurance Corporation as receiver of
6 LibertyBank, Headquartered in Eugene, Oregon, to act without bond pursuant to ORS 711.465
7 effective July 30, 2010 at 6:00 p.m., or upon service of this Order, whichever is later, and call
8 upon them to perform the duties of a receiver pursuant to ORS chapter 711.

9 **IT IS SO ORDERED.**

10 **DONE THIS 30th DAY OF JULY, 2010, AT SALEM, OREGON.**

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By: 
Cory Streisinger, Director
Department of Consumer and Business Services

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CERTIFICATE OF PERSONAL SERVICE

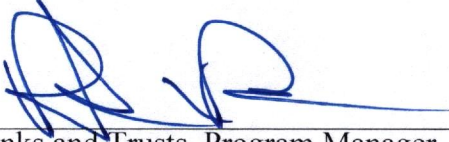
I hereby certify that I personally caused a true and correct copy of this Declaration of Insolvency and Appointment of Receiver to be served on LibertyBank this 30th day of July 2010 by handing a copy to an officer or Director of the bank, and the Federal Deposit Insurance Corporation, as receiver, by handing a copy to a representative.

Signed by: 
Title: Banks and Trusts, Program Manager

CERTIFICATE OF MAILING

I hereby certify that I personally caused a true and correct copy of this Declaration of Insolvency and Appointment of Receiver to be deposited with the United States Post Office, first class postage prepaid, addressed to the following:

Robert Fenstermacher, President and CEO, LibertyBank
Victoria Dancy, Counsel, Section Chief, Division of Resolutions and Receiverships,
Federal Deposit Insurance Corporation

Signed by: 
Title: Banks and Trusts, Program Manager

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