

**STATE OF NEBRASKA
BEFORE THE NEBRASKA DEPARTMENT
OF BANKING AND FINANCE**

IN THE MATTER OF THE APPLICATION)	AMENDED OBJECTION
OF LIBERTY FIRST CREDIT UNION)	TO LIBERTY FIRST
FOR APPROVAL TO AMEND ITS BYLAWS)	CREDIT UNION AMENDED
TO EXPAND ITS FIELD OF MEMBERSHIP)	APPLICATION FOR
)	APPROVAL TO AMEND
)	ITS BYLAWS TO EXPAND
)	ITS FIELD OF MEMBERSHIP

COME NOW the Nebraska Bankers Association (NBA), a Nebraska corporation, Mainstreet Bank, a Nebraska Banking Corporation; First State Bank, a Nebraska Banking Corporation; Homestead Bank, a Nebraska Banking Corporation; Generations Bank, a Nebraska Banking Corporation; Cornerstone Bank, a Nebraska Banking Corporation; and Security National Bank, a Nebraska Banking Corporation for the purpose of objecting to the amended application of Liberty First Credit Union (LFCU) to amend its Bylaws to expand its field of membership for the reason that neither state nor federal laws, rules or regulations authorize such an expansion. In support thereof, the undersigned allege, without limiting the nature, extent or scope of additional substantive objections to be offered at the Department of Banking and Finance hearing on this amended application, that:

- (a) State law provides no basis for the establishment or expansion of a community-chartered credit union;
- (b) National Credit Union Administration (NCUA) regulations, if applicable, do not authorize the combination of two separate Metropolitan Statistical Areas or Core Based Statistical Areas to comprise a single, well-defined local community;
- (c) Contrary to the allegations of the LFCU Amended Application at Paragraph 12, the Current Counties of LFCU are not adjacent to its proposed Additional Counties of Douglas, Sarpy, and Washington in Nebraska or Pottawattamie county in Iowa;
- (d) The Department’s previous determination referenced in Paragraph 16 of the LFCU Amended Application provides no precedential value, said determination being without legal authority under state law, federal law and their implementing rules and regulations, and thus null and void and of no legal effect;
- (e) The Current Counties of the LFCU and its proposed Additional Counties do not comprise a single well-defined local community whose residents have common interests or interact on a regular basis;
- (f) The LFCU Amended Application contains no documentation to support that it is a well-defined local community as required by the NCUA Chartering and Field of Membership Manual; and
- (g) LFCU has failed to propose an amendment to its articles of association as required by state law and the NCUA Chartering and Field of Membership Manual, thereby bypassing the requirement to have a vote of its members to modify its common bond of membership.

The undersigned request that the Department of Banking and Finance schedule this matter for public hearing pursuant to its regulations and further agree to pay their proportionate share of the costs of the hearing.

**NEBRASKA BANKERS ASSOCIATION, A
Nebraska Corporation, Objecting Party**

**MAINSTREET BANK, COOK NE, A
Nebraska Banking Corporation, Objecting Party**

**FIRST STATE BANK, LOOMIS NE A
Nebraska Banking Corporation, Objecting Party**

**HOMESTEAD BANK, COZAD NE A
Nebraska Banking Corporation, Objecting Party**

**GENERATIONS BANK, EXETER NE A
Nebraska Banking Corporation, Objecting Party**

**CORNERSTONE BANK, YORK NE A
Nebraska Banking Corporation, Objecting Party**

**SECURITY NATIONAL BANK, OMAHA NE A
Nebraska Banking Corporation, Objecting Party**

BY:  _____

Robert J. Hallstrom Bar No. 16576
Gerald M. Stilmock Bar No. 17422
BRANDT, HORAN, HALLSTROM & STILMOCK
370 Fifth Street, P.O. Box 186
Syracuse, Nebraska 68446
(402) 269-2081
Attorneys for Objecting Parties

STATE OF NEBRASKA)
)SS:
COUNTY OF LANCASTER)

Robert J. Hallstrom, the undersigned, being first duly sworn on oath, deposes and says that the undersigned is one of the attorneys for the Objecting Parties herein, that the undersigned has read it, knows the contents therein and that the facts therein contained are accurate and complete to the best of the undersigned's knowledge and belief on behalf of said parties.

Robert J. Hallstrom

Robert J. Hallstrom, Attorney for the Objecting Parties

SUBSCRIBED AND SWORN to before me on NOVEMBER 20, 2018



Karen Yelden

Notary Public

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he mailed a true and correct copy of the above and foregoing AMENDED OBJECTION TO LIBERTY FIRST CREDIT UNION AMENDED APPLICATION FOR APPROVAL TO AMEND ITS BYLAWS TO EXPAND ITS FIELD OF MEMBERSHIP to the following this 20th day of NOVEMBER, 2018 by depositing it in the United States mail, postage prepaid:

Gene Summerlin, Partner
Husch Blackwell LLP
13330 California Street, Suite 200
Omaha, NE 68154

Robert J. Hallstrom

Robert J. Hallstrom, #16576