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**UNITED STATES OF AMERICA
BEFORE THE
OFFICE OF THRIFT SUPERVISION**

**OFFICE OF THRIFT SUPERVISION
LEGAL DEPARTMENT**

In the Matter of)
Richard J. Herzig)
Director of)
First Federal Savings Bank)
Dover, Ohio)
#04088)

Resolution No.: CIN 93-11
Dated: 7/28/93

**STIPULATION AND CONSENT TO ISSUANCE OF
ORDER OF ASSESSMENT OF CIVIL MONEY PENALTIES**

The Office of Thrift Supervision ("OTS"), by and through its Regional Director for the Central Region, and Richard J. Herzig, director of First Federal Savings Bank, Dover, Ohio stipulate and agree as follows:

1. Consideration. The OTS, based upon information reported to it, is of the opinion that the grounds exist to initiate an administrative action for assessment of civil money penalties against Richard J. Herzig pursuant to §8(i) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. §1818(i). Richard J. Herzig, desires to cooperate with the OTS and to avoid the time and expense of such administrative litigation and, while neither admitting nor denying that such grounds exist, hereby stipulates and agrees to the following terms, in consideration of the forbearance of OTS from initiating such administrative civil money

penalty assessment proceeding against Richard J. Herzig with respect to the following matters: failure to cause or ensure that First Federal Savings Bank of Dover comply with the Supervisory Agreement entered into with the OTS on May 8, 1992, and repeat failure to undertake corrective actions to remedy violations of statutes and regulations as cited in the Report of Regular Compliance Examination dated October 27, 1992.

2. Jurisdiction

(a) First Federal Savings Bank is a "savings association" and an "insured depository institution" as defined by §3 of the FDIA and §2 of the Home Owners' Loan Act, 12 U.S.C. §§1813 and 1462.

(b) Richard J. Herzig, director of First Federal Savings Bank, is an "institution-affiliated party" as defined by §3(u) of the FDIA, 12 U.S.C. §1813(u).

(c) Pursuant to Section 3 of the FDIA, 12 U.S.C. §1813(q), the OTS is the "appropriate Federal banking agency" to maintain enforcement proceedings against such a savings association and its institution-affiliated parties. Therefore, Richard J. Herzig is subject to the authority of the OTS to assess civil money penalties against him pursuant to §8(i) of the FDIA, 12 U.S.C. §1818(i).

3. Consent. Richard J. Herzig, consents to the issuance by the OTS of the accompanying Order of Assessment of Civil Money Penalties ("Order"). He further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

4. Finality. The Order is issued under §8(i) of the FDIA, 12 U.S.C. §1818(1). Upon its issuance by the Regional Director for the Central Region, OTS, it shall be a final order, effective and fully enforceable.

5. Waivers. Richard J. Herzig, waives the right to a Notice of Assessment of Civil Money Penalties provided by Section 8(i) of the FDIA, and further waives the right to seek judicial review of the Order, including any such right provided by §8(h) of the FDIA, 12 U.S.C. §1818(h) or otherwise to challenge the validity of the Order.

6. Other Actions. This Stipulation and Consent, the Order and the payment by Richard J. Herzig of any monies or providing any other financial relief as contemplated by the Order, does not compromise, settle, dismiss, resolve, or in any way effect any civil actions, charges against, or liability of Richard J. Herzig that arise pursuant to his actions as described in paragraph 1 or otherwise, and that have been or may be brought by any other governmental entity other than the OTS.

WHEREFORE, in consideration of the foregoing, Richard J. Herzig, and the Regional Director for the Central Region, on behalf of the OTS, execute this Stipulation and Consent to Issuance of Order of Assessment of Civil Money Penalties.

OFFICE OF THRIFT SUPERVISION

By: /S/
Ronald N. Karr
Regional Director
Central Region

/S/
Richard J. Herzig

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Richard J. Herzig)

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ORDER OF ASSESSMENT OF CIVIL MONEY PENALTIES

WHEREAS, Richard J. Herzig, director of First Federal Savings Bank, Dover, Ohio has executed a Stipulation and Consent to Issuance of Order of Assessment of Civil Money Penalties ("Stipulation") which is accepted and approved by the Office of Thrift Supervision ("OTS"), acting through its Regional Director for the Central Region, and is incorporated herein by reference; and

WHEREAS, Richard J. Herzig, in the Stipulation, has consented and agreed to the issuance of this Order of Assessment of Civil Money Penalties ("Order") pursuant to the Federal Deposit Insurance Act, §8(i), 12 U.S.C. §1818(i).

NOW, THEREFORE, IT IS ORDERED that Richard J. Herzig, shall pay to OTS a sum of \$2,250. Payment shall be made by tendering to the

Controller's Division of the OTS a check made payable to the Treasurer of the United States in the sum of \$2,250 within ten days of the effective date of this Order.

OFFICE OF THRIFT SUPERVISION

/S/

Ronald N. Karr
Regional Director
Central Region