

UNITED STATES OF AMERICA  
BEFORE THE  
OFFICE OF THRIFT SUPERVISION

In the Matter of )  
Wilbur H. Apking )  
Former Director of )  
First Ohio Savings Bank, F.S.B. )  
Cincinnati, Ohio )

Resolution No.: CIN 92-2  
Dated: March 20, 1992

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 Wilbur H. Apking, a former  
Director of First Ohio Savings Bank, F.S.B., Cincinnati, 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 Wilbur H. Apking  
pursuant to § 8(i) of the Federal Deposit Insurance Act ("FDIA"), 12  
U.S.C. § 1818(i) (Supp. I 1989). Wilbur H. Apking, 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 him.

2. Jurisdiction

(a) First Ohio Savings Bank, F.S.B. 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 (Supp. I 1989).

(b) Wilbur H. Apking, as a former Director of First Ohio Savings Bank, F.S.B., is an "institution-affiliated party" as defined by § 3(u) of the FDIA, 12 U.S.C. § 1813(u) (Supp. I 1989).

(c) Pursuant to Section 3 of the FDIA, 12 U.S.C. § 1813(q) (Supp. I 1989), the OTS is the "appropriate Federal banking agency" to maintain enforcement proceedings against such a savings association. Therefore, Wilbur H. Apking is subject to the authority of the OTS to assess civil money penalties against him pursuant to § 8(1) of the FDIA, 12 U.S.C. § 1818(1) (Supp. I 1989).

3. Consent. Wilbur H. Apking, 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(1) of the FDIA, 12 U.S.C. § 1818(1) (Supp. I 1989). Upon its issuance by the Regional Director for the Central Region, OTS, it shall be a final order, effective and fully enforceable.

5. Waivers. Wilbur H. Apking, waives the right to a Notice of Assessment of Civil Money Penalties provided by Section 8(1) of the FDIA, and further waives the right to seek judicial review of the Order,



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**ORDER OF ASSESSMENT OF CIVIL MONEY PENALTIES**

WHEREAS, Wilbur H. Apking, Former Director of First Ohio Savings Bank, F.S.B., Cincinnati, 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, Wilbur H. Apking, 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(1), 12 U.S.C. § 1818(1) (Supp. I 1989).

NOW, THEREFORE, IT IS ORDERED that Wilbur H. Apking, shall pay to OTS a sum of \$1,000 plus any cost of administrative litigation. Payment shall be made by tendering to the OTS a check made payable to

the Treasurer of the United States in the sum of \$1,000 (plus any cost of administrative litigation) within ten days of the effective date of this Order.

OFFICE OF THRIFT SUPERVISION

/s/

Stuart M. Brafman  
Regional Director  
Central Region