

UNITED STATES OF AMERICA  
BEFORE THE  
OFFICE OF THRIFT SUPERVISION

In the Matter of	)	
Walter W. Timperman, M.D.	)	Resolution No.: CIN 92- 7
Former Director of	)	Dated: April 16, 1992
First Ohio Savings Bank, F.S.B.	)	
Cincinnati, Ohio	)	

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 Walter W. Timperman, M.D., a former Director of First Ohio Savings Bank, F.S.B., Cincinnati, Ohio, stipulate and agree as follows:

1. Consideration. The OTS alleges that grounds exist to initiate an administrative action for assessment of civil money penalties against Walter W. Timperman, M.D. pursuant to § 8(i) of the Federal Deposit Insurance Act ("FDIA"), 12 U.S.C. § 1818(i) (Supp. I 1989). Walter W. Timperman, M.D., desires to cooperate with the OTS and to avoid the time and expense of such administrative litigation and, without admitting 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 or any other proceeding against him pertaining to violations contained in the OTS Report of Examination dated February 25, 1991 relating to breaches of fiduciary duty in failing to provide adequate oversight and direction to management.

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) Walter W. Timperman, M.D., 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 and its institution-affiliated parties. Therefore, Walter W. Timperman, M.D. 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) (Supp. I 1989).

3. Consent. Walter W. Timperman, M.D. 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(i) (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. Walter W. Timperman, M.D. waives the right to a Notice of Assessment of Civil Money Penalties provided by Section 8(i) of the FDIC, 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) (Supp. I 1989) or otherwise to challenge the validity of the Order.

6. Release. The OTS agrees that the execution of this Stipulation and Consent and payment of the penalty described in the accompanying Order settles all claims the OTS may have against Walter W. Timperman, his heirs, successors and assigns, for alleged breaches of fiduciary duty cited in the February 25, 1991 Report of Examination, and further agrees not to institute any additional enforcement action against Walter W. Timperman for such alleged breaches. Walter W. Timperman understands that nothing herein shall preclude any proceeding brought by the OTS to enforce the terms of this Stipulation and Consent, and that nothing herein constitutes, nor shall Walter W. Timperman contend that it constitutes a waiver of any right, power, or authority of any other representatives of the United States, or agencies thereof, to bring other action deemed appropriate.

7. Other Actions. This Stipulation and Consent, the Order and the payment by Walter W. Timperman, M.D. 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 Walter W. Timperman, M.D. that arise pursuant to this action or otherwise, and that may be or have been brought by the Resolution Trust Corporation or any other governmental entity other than the OTS.



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Cincinnati, Ohio	)	
	)	
	)	

**ORDER OF ASSESSMENT OF CIVIL MONEY PENALTIES**

**WHEREAS**, Walter W. Timperman, M.D., a 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**, Walter W. Timperman, M.D., 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) (Supp. I 1989).

**NOW, THEREFORE, IT IS ORDERED** that Walter W. Timperman, M.D. shall pay to OTS the sum of \$1,000 by tendering to the OTS a check in that

amount made payable the Treasurer of the United States within ten days  
of the effective date of this Order.

OFFICE OF THRIFT SUPERVISION

/S/

~~Stuart M. Brafman~~  
Regional Director  
Central Region