

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of)	
KENNETH E. HAGGARD, and)	ORDER AMENDING
MARYANN TOMCZYK)	AN ORDER TO PAY
Individually, and as an)	CIVIL MONEY PENALTY
Institution-Affiliated Parties of)	
MIAMI VALLEY BANK,)	FDIC-09-547k
Lakeview, Ohio)	
(Insured State Nonmember Bank,)	
In Receivership))	
_____)	

The Federal Deposit Insurance Corporation (“FDIC”), on June 17, 2010, issued an AMENDED NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION, AMENDED NOTICE OF ASSESSMENT OF CIVIL MONEY PENALTY, FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER TO PAY, AND NOTICE OF HEARING (“AMENDED NOTICE OF ASSESSMENT”) against KENNETH E. HAGGARD and MARYANN TOMCZYK (“Respondents”), assessing a civil money penalty against each Respondent pursuant to section 8(i)(2) of the Federal Deposit Insurance Act (“Act”), in the amount of \$250,000 for violations of law or regulation; engaging in unsafe or unsound banking practices; and/or breaching their respective fiduciary duty.

Respondents and Enforcement Counsel for the FDIC thereafter executed a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER AMENDING AN ORDER TO PAY CIVIL MONEY PENALTY (“CONSENT AGREEMENT TO PAY”) dated April 4, 2014, whereby solely for the purpose of this proceeding and without admitting

any allegations in the AMENDED NOTICE OF ASSESSMENT, the Respondents agree to withdraw their REQUEST FOR HEARING and to waive their respective right to a hearing on the AMENDED NOTICE OF ASSESSMENT and have consented to the issuance of a FINAL ORDER TO PAY as amended by this ORDER AMENDING AN ORDER TO PAY CIVIL MONEY PENALTY.

The FDIC, therefore, accepted the CONSENT AGREEMENT TO PAY and issued the following:

IT IS HEREBY ORDERED THAT, the ORDER TO PAY issued by the FDIC in the above-captioned matter on June 17, 2010, is hereby amended as follows:

(a) The total amount of the civil money penalty assessed against Respondents KENNETH E. HAGGARD and MARYANN TOMCZYK is reduced from \$500,000 to \$450,000; and

(b) Respondents shall pay the full amount of the civil money penalty in the form of a check payable to the Treasury of the United States pursuant to section 308.118 of the FDIC's Rules of Practice and Procedure, 12 C.F.R. § 308.118, upon execution of the CONSENT AGREEMENT TO PAY.

Pursuant to delegated authority.

Dated this 5th day of June, 2014.

/s/

Christopher J. Newbury
Associate Director
Division of Risk Management Supervision