FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of ANNE MARIE TOEBEN, as an institution-affiliated party of GERMANTOWN TRUST & SAVINGS BANK BREESE, ILLINOIS (INSURED STATE NONMEMBER BANK) RESPONDENT'S NMLS UI# 675515	)	ORDER OF PROHIBITION FROM FURTHER PARTICIPATION FDIC-19-0022e

ANNE MARIE TOEBEN (Respondent) has been advised of the right to receive a NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION (NOTICE) issued by the Federal Deposit Insurance Corporation (FDIC) detailing the UNSAFE OR UNSOUND BANKING PRACTICES for which an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (Order) may issue and has been further advised of the right to a hearing on the allegations under 12 U.S.C. § 1818(e) and the FDIC's Rules of Practice and Procedure, 12 C.F.R. Part 308. Having waived those rights, Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (CONSENT AGREEMENT) with a representative of the Legal Division of the FDIC, dated May 19, 2020, whereby solely for the purpose of this proceeding and without admitting or denying any violations, unsafe or unsound banking practices, and/or breaches of fiduciary duty, Respondent consented to the issuance of an ORDER by the FDIC.

The FDIC has determined, and Respondent neither admits nor denies, that:

(a) Respondent has engaged or participated in unsafe or unsound banking practices as an institution-affiliated party of Germantown Trust & Savings Bank, Breese, Illinois (Bank) within the meaning of 12 U.S.C. § 1813(u);

(b) Further, the FDIC has determined that while employed as a loan officer of the Bank, Respondent misappropriated approximately $30,000 from Bank customer accounts for personal gain or other benefit without reimbursing the customer or the Bank until the Bank discovered her misappropriation.

(c) By reason of such practices, the Bank has suffered financial loss or other damage, and/or Respondent received financial gain or other benefit; and

(d) Such practices involve personal dishonesty on the part of Respondent or demonstrate Respondent's willful and/or continuing disregard for the safety or soundness of the Bank.

The FDIC further determined that such practices demonstrate Respondent's unfitness to serve as a director, officer, employee or person participating in the conduct of the affairs or as an institution-affiliated party of the Bank, any other insured depository institution, or any other agency or organization enumerated in section 12 U.S.C. § 1818(e)(7)(A).

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

<u>ORDER OF PROHIBITION FROM FURTHER PARTICIPATION</u>

1. Respondent ANNE MARIE TOEBEN is hereby prohibited from:

(a) participating in any manner in the conduct of the affairs of any financial institution or agency enumerated in 12 U.S.C. § 1818(e)(7)(A);

(b) soliciting, procuring, transferring, attempting to transfer, voting, or attempting to vote any proxy, consent or authorization with respect to any voting rights in any financial institution enumerated in 12 U.S.C. § 1818(e)(7)(A);

(c) violating any voting agreement previously approved by the appropriate Federal banking agency; or

(d) voting for a director or serving or acting as an institution-affiliated party.

2. The prohibitions in paragraph 1 above, shall cease to apply to Respondent if Respondent obtains the prior written permission of both the FDIC and the "appropriate Federal financial institutions regulatory agency" as defined in 12 U.S.C. §1818(e)(7)(D).

3. Notwithstanding the prohibitions set out in the paragraphs above, Respondent may, for the purposes of facilitating divestiture of stock:

(a) vote for a merger, sale, or liquidation involving the Bank after obtaining the prior written consent of approval of the FDIC, and

(b) engage in transactions necessary to consummate the sale, merger, or liquidation of the Bank after obtaining the prior written consent of the FDIC.

4. Nothing herein shall preclude any proceedings brought by the FDIC to enforce the terms of this Order, and that nothing herein constitutes a waiver of any right, power, or authority of any other representatives of the United States or agencies thereof, or the FDIC as Receiver, or any state agency or department to bring other actions deemed appropriate against Respondent.

5. This Order will become effective upon its issuance by the FDIC. The provisions of this Order will remain effective and enforceable except to the extent that, and until such time as, any provision of this Order shall have been modified, terminated, suspended, or set aside by the FDIC.

Pursuant to delegated authority.

Dated this 17th day of June, 2020.

PATRICIA COLOHAN

Digitally signed by PATRICIA COLOHAN
Date: 2020.06.17 08:43:26 -04'00'

Patricia A. Colohan
Associate Director
Division of Risk Management Supervision