

From: Michael Kearney [mailto:gakearney@att.net]  
Sent: Friday, March 06, 2009 8:55 AM  
To: Comments  
Subject: Opposition to RIN 3064-AD35: Proposed FDIC Special Assessment pursuant to 12 CFR Part 327

Michael Kearney  
CFO  
Heritage Bank of North Florida  
4644 West Seneca DR  
Jacksonville, FL 32259-2161

March 6, 2009

Robert E. Feldman  
Federal Deposit Insurance Corporation  
550 17th Street, NW  
Washington, DC 20429

Dear Robert Feldman:

While I support the FDIC's interim rule that would impose a special assessment, the plan needs modification to incorporate a tiered, risk based system.

Under a risk based approach, banks that received government capital should EXCLUDE the capital in their risk assessment. The reason is that the recipients have tacitly acknowledged that they have more risk because they needed the capital. Any bank with more risk should pay a higher premium.

Excluding the government capital will also level the playing field between banks which took the capital and banks that didn't.

Please consider this modification.

Sincerely,

Michael V Kearney  
9042135014  
CFO  
Heritage Bank of North Florida

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