
From: Brian J. Eagleston [mailto:beagleston@finemarkbank.com]
Sent: Wednesday, March 04, 2009 11:23 AM
To: Comments
Cc: Gerald M. Roberts; Joseph R. Catti
Subject: Assessments, RIN 3064-AD35

We are very disappointed in the special assessment that the FDIC has uniformly applied to the nation's banks. We are a new bank that does not have the legacy problems that the other banks have on their balance sheets. So in effect we are being charged even though we didn't cause the problem. Further, it was the mistakes of the larger institutions and their greed that caused the problems that now the community banks in general have to shoulder. Finally, our deposit structure is such that most of our deposits are not even insured due to their balance and the trust that our clientele has in us. Therefore, we do not think the uniform application of this special assessment is fair. It should be something based upon the risk of the institution rather than total deposits. Please feel free to contact me if you have any questions.

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Please note that our address has changed to 12681 Creekside Lane, Fort Myers, FL 33919