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**From:** Jim Sturgeon [mailto:jim@foundersbanktx.com]  
**Sent:** Wednesday, March 04, 2009 6:51 PM  
**To:** Comments  
**Subject:** Assessments, RIN 3064 - AD35

As a banker and bank customer, I fully understand both the legal and moral need to replenish the DIF. Founders Bank is a de Novo bank, which was just examined and rated as highly as a de Novo can be, and I realize my need to have insured deposits and the benefit that provides in the current environment. As a bank not participating in any current federal capital programs and one without asset issues, I am somewhat frustrated that I am expected to pay for the sins of others during this time, but I am reconciled to that also. However, what is really disturbing to me, as I fight to become profitable is the impact that this will have on my earnings (in my case increased losses) and my capital.

Our bank lost approximately \$2,000,000 in 08 which was our first full year of operation. We have now moved to our permanent facility and in spite of significantly increased occupancy expenses and severe margin compression we are projecting a 09 loss of just under \$1,000,000 which includes a provision for loan losses (due to growth) of \$400,000 and FDIC Insurance premiums of more than 3 times 08 (excluding the special assessment). If the special assessment goes through as currently proposed, our 15 month old de Novo bank will pay approximately \$270,000 in premiums to the FDIC in 09 with the potential to pay another \$80,000 or so if the FDIC deems it necessary to maintain the fund.

We are fighting hard to increase our net margin and are seeing success with an increase of over 40bps in the first two months. This is also about 40bps ahead of our budgeted margin and if we increase our margin in 09 a total of about 80bps we will be near breakeven for the year and profitable in the second half. However, a continued increase in regulatory costs which includes FDIC assessments is making it difficult. The projected \$270,000 in FDIC payments for 09 will be about 25% of our current projected pretax loss which is a significant burden to a young bank. While I would request that the burden is passed to others I realize that is probably not feasible and is contrary to the current political philosophy. I support the alternatives which have been offered by industry associations such as IBCA, IBAT and the ABA and strongly urge you to consider them. In the end I realize we will need to step up to the plate and would request we be able to do this over a minimum five year period rather than all at once. It would be much more palatable to our shareholders and I believe our regulators for this burden to come from our profits rather than just increase our losses.



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