

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of	)	
David C. Cantu, an institution-affiliated party of	)	
First Community Bank	)	ORDER OF PROHIBITION FROM
Corpus Christi, TX	)	FURTHER PARTICIPATION and
(Insured State Nonmember Bank)	)	ORDER TO PAY
Respondent's NMLS UI# 954610	)	FDIC-22-0167e
	)	FDIC-22-0168k
	)	
	)	
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David C. Cantu (Respondent) was advised of the right to receive a Notice of Intention to Prohibit from Further Participation, and a Notice of Assessment (collectively, Notices) detailing Respondent's alleged unsafe or unsound practices for which an Order of Prohibition from Further Participation (Prohibition Order) and Order to Pay a civil money penalty (Order to Pay) (collectively, Orders) may be issued under 12 U.S.C. § 1818(e) and (i).

Respondent was further advised of the right to a hearing on the Notices under 12 U.S.C. § 1818(e) and (i), and 12 C.F.R. Part 308, subparts A & B. Respondent waived certain rights under those provisions on March 1, 2023, and consented to the issuance of the Orders by entering into a Stipulation and Consent to the Issuance of an Order of Prohibition from Further Participation and Order to Pay (Consent Agreement) with a representative of the Federal Deposit Insurance Corporation's (FDIC) Legal Division.

The FDIC determined and Respondent neither admits nor denies the following:

1. During 2021, as a Senior Vice President and Loan Officer at First Community Bank, Corpus Christi, Texas (Bank), Respondent allowed a borrower to sell vehicles from the

borrower's inventory at an automobile dealership and keep the proceeds rather than pay down the revolving line of credit that Respondent originated with the Bank. In order to conceal this arrangement, Respondent falsified several "Floor Plan Audit/Curtailment Response" memos between March 12, 2021, and June 29, 2021.

2. As described in paragraph 1, Respondent recklessly engaged in unsafe or unsound practices.

3. Respondent's unsafe or unsound practices were part of a pattern of misconduct which caused the Bank to suffer financial loss.

4. Respondent's practices demonstrated continuing disregard for the safety and soundness of the Bank.

After considering the civil money penalty (CMP) mitigating factors under 12 U.S.C. § 1818(i)(2)(G), the FDIC accepts the Consent Agreement and issues the following:

**ORDER OF PROHIBITION FROM FURTHER PARTICIPATION**

5. David C. Cantu is prohibited from:
- a. participating in any manner in the conduct of the affairs of any financial institution or organization listed 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; and

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

6. The Prohibition Order is effective upon issuance and will remain effective and enforceable until the FDIC, and any “appropriate Federal financial institutions regulatory agency,” defined at 12 U.S.C. § 1818(e)(7)(D), decide in writing to modify, terminate, suspend, or set aside the Prohibition Order under 12 U.S.C. § 1818(e)(7)(B).

7. The Prohibition Order is enforceable under 12 U.S.C. § 1818(i), and any violation of it may result in additional penalties under 12 U.S.C. § 1818(j).

8. The Prohibition Order does not waive any right, power, or authority of the United States; federal, state, or local agencies; or the FDIC as Receiver.

#### **ORDER TO PAY**

9. By reason of Respondent’s actions listed in paragraph 1, a \$15,000 CMP is assessed against David C. Cantu under 12 U.S.C. § 1818(i)(2) and is effective upon issuance. Respondent must immediately pay the CMP to the Treasury of the United States.

10. Respondent may not seek or accept indemnification from any insured depository institution for the CMP assessed in this matter.

11. The Order to Pay is enforceable under 12 U.S.C. § 1818(i) and the FDIC will take action to collect the amount due if Respondent fails to make payment.

12. The Order to Pay does not waive any right, power, or authority of the United States; federal, state, or local agencies; or the FDIC as Receiver.

Issued under delegated authority.

Dated: July 17, 2023.

/s/  
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Patricia A. Colohan  
Associate Director  
Division of Risk Management Supervision