

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

	)	
In the Matter of	)	
	)	
BRADLEY D. PAYNE, individually,	)	
and as an institution-affiliated party of	)	
	)	
BANK OF THE OZARKS	)	ORDER TO PAY
LITTLE ROCK, ARKANSAS	)	FDIC-09-245k
	)	
(INSURED STATE NONMEMBER BANK)	)	
	)	

Bradley D. Payne ("Respondent") and a representative of the Legal Division of the FDIC executed a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY ("CONSENT AGREEMENT") dated March 30, 2010, whereby Respondent, solely for the purpose of this proceeding, and without admitting or denying any reckless unsafe or unsound practices or breaches of fiduciary duty for which a civil money penalty may be assessed, consented and agreed to pay a civil money penalty in the amount specified below to the Treasury of the United States.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of Respondent, the gravity of Respondent's conduct, the history of previous conduct by Respondent, and such other matters as justice may require, the FDIC accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY

IT IS HEREBY ORDERED that, by reason of the reckless unsafe and unsound practices and breaches of fiduciary duty set forth in paragraph 2 of the CONSENT AGREEMENT, a penalty of \$50,000 be, and hereby is, assessed against BRADLEY D. PAYNE. The Respondent shall pay the civil money penalty to the Treasury of the United States.

IT IS FURTHER ORDERED that the Respondent is prohibited from seeking or accepting indemnification from any insured depository institution for the civil money penalty assessed and paid in this matter.

This Order to Pay shall be effective upon issuance.

Pursuant to delegated authority.

Dated this 15TH day of June, 2010.

/s/ _____
Serena L. Owens
Associate Director
Supervision and Applications Branch
Division of Supervision and
Consumer Protection