

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

	)	
In the Matter of	)	
	)	
DANIEL JAMES ABBOTT, individually,	)	ORDER OF PROHIBITION FROM
and as an institution-affiliated party of	)	FURTHER PARTICIPATION
	)	
FIRST UNITED BANK AND TRUST CO	)	
DURANT, OKLAHOMA	)	FDIC-14-0224E
	)	
(INSURED STATE NONMEMBER BANK)	)	
	)	

DANIEL J. ABBOTT (“Respondent”) has been advised of the right to receive a NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION (“NOTICE”) issued by the Federal Deposit Insurance Corporation (“FDIC”) detailing the violations of law or regulations, unsafe or unsound banking practices, and/or breaches of fiduciary duty for which an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (“ORDER”) may issue, and has been further advised of the right to a hearing on the alleged charges under 12 U.S.C. § 1818(e), and the FDIC’s Rules of Practice and Procedure, 12 C.F.R. Part 308. Having waived those rights, the Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (“CONSENT AGREEMENT”) with a representative of the Legal Division of the FDIC, whereby solely for the purpose of this proceeding and without admitting or denying any violations of law or regulations, unsafe or unsound banking practices, and/or any breaches of fiduciary duty, Respondent consented to the issuance of an ORDER by the FDIC.

The FDIC considered the matter and determined it had reason to believe that:

- (1) The Respondent has engaged or participated in violations of law, unsafe or

unsound banking practices, and breaches of fiduciary duty as an institution-affiliated party of FIRST UNITED BANK AND TRUST COMPANY, DURANT, OKLAHOMA (“Bank”);

(2) By reason of such violations of law, unsafe or unsound banking practices, and breaches of fiduciary duty, the Bank has suffered loss and the Respondent received financial gain; and

(3) Such violations of law, unsafe or unsound banking practices, and breaches of fiduciary duty involve personal dishonesty on the part of the Respondent and demonstrate the Respondent’s willful and continuing disregard for the safety or soundness of the Bank.

The FDIC further determined that such violations of law or regulations, unsafe or unsound banking practices, and breaches of fiduciary duty demonstrate the Respondent’s unfitness to serve as a director, officer, person participating in the conduct of the affairs, or as an institution-affiliated party of the Bank, any other insured depository institution, or any other agency or organization enumerated in 12 U.S.C. § 1818(e)(7)(A).

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER OF PROHIBITION
FROM FURTHER PARTICIPATION

1. DANIEL J. ABBOTT, without the prior written approval of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in 12 U.S.C. § 1818(e)(7)(D), is hereby prohibited from:

(a) participating in any manner in the conduct of the affairs of any financial institution or organization enumerated 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; or

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

2. This ORDER will become effective upon its issuance by the FDIC. The provisions of this ORDER will remain effective and enforceable except to the extent that, and until such time as, any provision of this ORDER shall have been modified, terminated, suspended, or set aside by the FDIC.

Pursuant to delegated authority.

Dated this 18th day of September, 2015.

/s/
Christopher J. Newbury
Associate Director
Division of Risk Management Supervision