

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of

ALLISON MCCLELLAN
individually, and as an
institution-affiliated party of

SOUTHPOINT BANK
BIRMINGHAM, ALABAMA

(INSURED STATE NONMEMBER BANK)

ORDER OF PROHIBITION FROM
FURTHER PARTICIPATION

FDIC-12-516e

ALLISON MCCLELLAN ("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 violations of law or regulation, the unsafe or unsound banking practices, and/or breaches of fiduciary duty for which an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION ("ORDER") may be issued, and has been further advised of the right to a hearing on the alleged charges under section 8(e) of the Federal Deposit Insurance Act ("Act"), 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, Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM FURTHER PARTICIPATION ("STIPULATION") 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 regulation, unsafe or unsound banking practices, or 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:

(a) Respondent has engaged or participated in violations of law or regulation, unsafe or unsound banking practices, and/or breaches of her fiduciary duty while an institution-affiliated party of SouthPoint Bank, Birmingham, Alabama ("Bank");

(b) By reason of such practices the Bank has suffered or will probably suffer more than a minimal financial loss or other damage, and/or Respondent received financial gain or other benefit; and

(c) Such practices involved personal dishonesty on the part of Respondent and/or demonstrated Respondent's willful and continuing disregard for the safety or soundness of the Bank.

The FDIC further determined that such practices demonstrate Respondent's unfitness to participate in the conduct of the affairs or as an institution-affiliated party of any insured depository institution, or any other agency or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A).

The FDIC, therefore, accepts the STIPULATION and issues the following:

ORDER OF PROHIBITION FROM FURTHER PARTICIPATION

1. ALLISON MCCLELLAN is hereby, without the prior written approval of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e)(7)(D), prohibited from:

(a) participating in any manner in the conduct of the affairs of any financial institution or organization enumerated in section 8(e)(7)(A) of the Act, 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 section 8(e)(7)(A) of the Act, 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 final and 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 7th day of June, 2013.

/s/

Christopher J. Newbury
Associate Director
Division of Risk Management Supervision