

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

_____)	
In the Matter of)	
MICHELLE L. KINCAID, in the)	ORDER GRANTING PERMISSION
Application for Consent to)	TO FILE APPLICATION AND
Participate in the Conduct of)	APPROVING APPLICATION FOR
the Affairs of Any Insured)	CONSENT TO PARTICIPATE IN
Depository Institution)	THE AFFAIRS OF ANY
(INSURED STATE NONMEMBER BANK))	INSURED DEPOSITORY
_____)	INSTITUTION
)	FDIC-09-592L
)	

The Federal Deposit Insurance Corporation ("FDIC"), having fully considered all the facts and information relating to the application filed pursuant to section 19 of the Federal Deposit Insurance Act, 12 U.S.C. § 1829 ("section 19"), by Michelle L. Kincaid ("Applicant"), individually, for a waiver of the FDIC policy requirement that an insured depository institution file a section 19 application on her behalf, and for consent to participate directly or indirectly in the affairs of any insured depository institution, has determined that Applicant's request for a waiver should be granted and that Applicant's section 19 application to participate in the affairs of any insured depository institution, should be approved, based upon the following:

- (1) On April 7, 1993, Applicant was charged in the Florida Circuit Court for Volusia County with the crime of committing a fraud on a driver's license application.

Applicant was underage (19 years old) at the time and was attempting to obtain a false identification stating she was 21 years old.

- (2) Applicant entered into a pretrial diversion program, and the charge was subsequently dismissed by the Florida State Attorney's office on December 7, 1998 after Applicant complied with the terms of her pre-trial intervention agreement.
- (3) Applicant requests that the FDIC waive its policy requiring that a sponsoring insured depository institution submit a Section 19 application on his behalf.
- (4) Applicant was 19-years old at the time of the charge and has demonstrated full rehabilitation with no further incident in the 15-years since the charge was entered. She has worked as a legal processing clerk at A.G. Edwards, now Wells Fargo Bank, since 1998.
- (5) Based on the above, the FDIC has determined that Applicant has demonstrated satisfactory evidence of rehabilitation.
- (6) The FDIC believes that Applicant's participation directly or indirectly, in the conduct of the affairs of any insured depository institution, in any position, does not appear to constitute a threat to the safety

and soundness of any other insured depository institution, or to the interests of depositors, and that such participation would not threaten to impair public confidence in any insured institution.

The FDIC has determined that there is substantial good cause to waive the FDIC policy requirement that an insured depository institution file a section 19 application on Applicant's behalf and that the Applicant be granted permission to file a Section 19 application on her own behalf.

NOW, THEREFORE, IT IS HEREBY ORDERED that Michelle L. Kincaid, as an individual, shall be permitted to file the section 19 application on her own behalf; and

IT IS FURTHER ORDERED, that the Applicant's section 19 application for consent to participate directly or indirectly in the conduct of the affairs of any insured depository institution is hereby APPROVED, provided that prior to serving in any position, Applicant disclose to any such insured depository institution the FDIC's approval of Applicant's section 19 application by providing the insured depository institution with a copy of the ORDER GRANTING PERMISSION TO FILE APPLICATION AND APPROVING APPLICATION FOR CONSENT TO PARTICIPATE IN THE AFFAIRS OF ANY INSURED DEPOSITORY INSTITUTION and that Applicant be covered by a fidelity bond to the same extent as others in similar positions at the subject insured depository institution.

IT IS FURTHER ORDERED, that the permission and approval granted by the ORDER shall apply only to the offense described in paragraph 1, above.

Dated this 2nd day of June, 2009.

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