



Federal Deposit Insurance Corporation
Dallas Regional Office

1601 Bryan Street, Dallas, Texas 75201
(800) 568-9161 FAX (972) 761-2082

Division of Supervision and Consumer Protection
Memphis Area Office

5100 Poplar Avenue, Suite 1900, Memphis, Tennessee 38137
(901) 685-1603 FAX (901) 821-5308

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

ARTICLE NO. 7003 1680 0004 1945 4091

August 10, 2010

Mr. James Robert Hughart # [REDACTED]

[REDACTED]

P.O. Box [REDACTED]

Beaumont, Texas [REDACTED]

Re: James Robert Hughart
Bank of Commerce
Stilwell, Oklahoma
FDIC-10-223e
Section 19 of the Federal Deposit Insurance Act

Dear Mr. Hughart:

Section 19 of the Federal Deposit Insurance Act (“Section 19”), 12 U.S.C. § 1829, prohibits, without the prior written consent of the Federal Deposit Insurance Corporation (“FDIC”), a person who, among other things, has been convicted of any criminal offense involving dishonesty or breach of trust from becoming or continuing as an institution-affiliated party, owning or controlling, directly or indirectly, an insured depository institution, or otherwise participating, directly or indirectly, in the conduct of the affairs of such insured depository institution. In addition, the law forbids an insured depository institution from permitting such a person to engage in any conduct or to continue any relationship prohibited by Section 19.

The FDIC has learned that on January 15, 2010, you entered into a plea agreement wherein you agreed to plead guilty to one count of Felony Bank Robbery and one count of Felony Using, Carrying and Brandishing a Firearm During a Crime of Violence in USA v. James Robert Hughart, CR-09-105-01 in the United States District Court for the Eastern District of Oklahoma. On January 20, 2010, you pled guilty and the court sentenced you on the Felony Bank Robbery to forty-one months incarceration, thirty-six months supervised release and ordered you to pay \$14,212 in restitution; and on the Felony Using, Carrying and Brandishing a Firearm During a Crime of Violence, the court sentenced you to eighty-four months incarceration, thirty-six months supervised release and ordered you to pay \$14,212 in restitution.

As a result of your conviction, you are immediately barred from engaging in any further conduct as Director, officer, or employee for Bank of Commerce, Stilwell, Oklahoma (“Bank”) or continuing any relationship prohibited by Section 19. You may not work for the Bank or any other insured depository institution in the future without the FDIC’s express written consent.

Further, Section 19 imposes criminal penalties on anyone who violates Section 19. It provides that anyone who knowingly violates Section 19 shall be fined not more than \$1,000,000 per day for each day such prohibition is violated, or imprisoned for not more than five years, or both. In addition, the FDIC has the authority under Section 8 of the Federal Deposit Insurance Act to take a number of administrative actions, including the issuance of a cease and desist order, assessment of civil money penalties, and/or the issuance of an Order of Removal and Prohibition from Further Participation in the banking industry.


I am enclosing herein a copy of Section 19 and the FDIC Section 19 Statement of Policy for your reference.


Sincerely,


Acting Regional Director

Enclosures

cc: Board of Directors
Bank of Commerce
24 West Division Street
Stilwell, OK 74960


Assistant United States Attorney
Eastern District of Oklahoma
Eagle County District Attorney’s Office
1200 W. Okmulgee
Muskogee, OK 74401


Office of the Public Defender
One West Third
Suite 1225
Tulsa, OK 74103