



**Federal Deposit Insurance Corporation**

300 S. Riverside Plaza, Suite 1700, Chicago, IL 60606

Chicago Regional Office

December 21, 2016

**VIA OVERNIGHT DELIVERY**

Mr. Justin B. Higgins

Lexington, Kentucky

Subject: Prohibition under Section 19 of the Federal Deposit Insurance Act

Dear Mr. Higgins:

The Federal Deposit Insurance Corporation (FDIC) has become aware of your March 25, 2016, conviction of the crime of theft by unlawful taking in Fayetteville, Kentucky that is covered by Section 19 of the Federal Deposit Insurance Act (FDI Act). Section 19 prohibits, except with the prior written consent of the FDIC, any person who has been convicted of any criminal offense involving dishonesty, breach of trust, or money laundering, or who has agreed to enter into a pretrial diversion or similar program in connection with a prosecution for such an offense, from becoming or continuing as an institution-affiliated party with respect to any insured depository institution; owning or controlling, directly or indirectly, any insured depository institution; or otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution. Because Section 19 is effective by operation of law, you are subject to the law's restrictions at the time of conviction or program entry, including the prohibition on participating in the affairs of any insured depository institution.

Your attention is directed to Section 19(b) of the FDI Act, 12 U.S.C. § 1829(b), which imposes criminal penalties of up to five years imprisonment and a fine of up to \$1,000,000 for each day such prohibition is violated, upon any person who knowingly violates the restrictions of Section 19. The FDIC has also adopted a Statement of Policy for Section 19, which provides additional background and information.

If you have reason to believe that your conviction or program entry is not covered by Section 19 of the FDI Act, please provide a written response to this office within 30 days of your receipt of this letter by certified mail. After that time period, this letter will be posted and become publicly available on the FDIC website. Should you have a question regarding this matter, please contact Senior Regional Attorney [REDACTED] or via mail at 300 South Riverside Plaza, Suite 1700, Chicago, Illinois 60606.

Sincerely,

M. Anthony Lowe  
Regional Director

cc: [REDACTED], Esq.