



Federal Deposit Insurance Corporation
1100 Walnut Street, Suite 2100
Kansas City, Missouri 64106

Division of Risk Management Supervision
Kansas City Regional Office
(816) 234-8000

January 11, 2018

Kathy F. Shelman
[REDACTED]

Plains, Kansas 67869

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

Dear Ms. Shelman:

The Federal Deposit Insurance Corporation (FDIC) has become aware of your September 16, 2016, deferred prosecution order in United States District Court in Wichita, Kansas, which is considered a pretrial diversion program 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 entered into a pretrial diversion or similar program in connection with 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 already subject to the law's restrictions, 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 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 September 16, 2016, deferred prosecution order is not a pretrial diversion program covered by Section 19 of the FDI Act, please provide a written response to this office within 30 days. 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 Special Activities Case Manager [REDACTED] at 816-234-8000.

Sincerely,

[REDACTED]
James D. LaPierre
Regional Director