

UNITED STATES OF AMERICA
BEFORE THE
BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
WASHINGTON, D.C.

In the Matter of

ANGELA ASBELL, a former institution-
affiliated party of

FIRST STATE BANK, Commerce,
Oklahoma, a state member bank

Docket No. 17-044-E-I

Order of Prohibition Issued Upon Consent
Pursuant to Section 8(e) of the
Federal Deposit Insurance Act, as
Amended

WHEREAS, the Board of Governors of the Federal Reserve System (the “Board of Governors”), pursuant to section 8(e) of the Federal Deposit Insurance Act, as amended (the “FDI Act”), 12 U.S.C. § 1818(e), issues this Order of Prohibition (this “Order”) upon the consent of Respondent Angela Asbell (“Asbell”), a former employee and institution-affiliated party, as defined in sections 3(u) and 8(b)(3) of the FDI Act, 12 U.S.C. §§ 1813(u) and 1818(b)(3), of First State Bank, a state member bank (the “Bank”);

WHEREAS, between November 2015 and Asbell’s termination in February 2017 (the “Relevant Period”), while employed as a cashier at the Bank, Asbell permitted a Bank customer (the “Bank Customer”) to deposit checks and withdraw the associated funds without any hold for the checks to clear, resulting in the Bank Customer overdrawing his account by approximately \$1,220,000;

WHEREAS, during the Relevant Period, Asbell worked as a bookkeeper for the Bank Customer and, in violation of Bank policy, transferred money from the Bank Customer’s account to her checking account at the Bank on at least ten occasions, in an amount totaling approximately \$6,400;

WHEREAS, during the Relevant Period, Asbell issued a money order drawn on her checking account in an amount greater than her account balance, and failed to take the steps necessary to have the money withdrawn from her account until approximately one month later;

WHEREAS, during the Relevant Period, Asbell initiated multiple wire transfers on behalf of Bank customers without completing the procedures necessary to have the wired funds promptly debited from the customers' accounts;

WHEREAS, during the Relevant Period, Asbell repeatedly reversed the debiting of automatic monthly ACH transfers from her checking account in an apparent attempt to avoid carrying a negative balance;

WHEREAS, Asbell's above-noted conduct constituted unsafe or unsound practices, or breaches of her fiduciary duties to the Bank; and

WHEREAS, by affixing her signature hereunder, Asbell has consented to the issuance of this Order by the Board of Governors and has agreed to comply with each and every provision of this Order, and has waived any and all rights she might have pursuant to 12 U.S.C. § 1818, 12 C.F.R. Part 263, or otherwise: (a) to the issuance of a notice of intent to prohibit on any other matter implied or set forth in this Order; (b) to a hearing for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (c) to obtain judicial review of this Order or any provision hereof; and (d) to challenge or contest in any manner the basis, issuance, terms, validity, effectiveness, or enforceability of this Order or any provision hereof.

NOW THEREFORE, before the filing of any notices, or taking of any testimony or adjudication of or finding on any issue of fact or law implied or set forth herein, and solely for the purpose of settling this matter without a formal proceeding being filed and without the necessity for protracted or extended litigation,

IT IS HEREBY ORDERED that:

1. Asbell, without the prior written approval of the Board of Governors and, where necessary pursuant to section 8(e)(7)(B) of the FDI Act, 12 U.S.C. § 1818(e)(7)(B), another Federal financial institutions regulatory agency, is hereby and henceforth prohibited from:

- a. participating in any manner in the conduct of the affairs of any institution or agency specified in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A), including, but not limited to, any insured depository institution or any holding company of an insured depository institution, or any subsidiary of such holding company, or any foreign bank or company to which subsection (a) of 12 U.S.C. § 3106 applies and any subsidiary of such foreign bank or company;
- 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 institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A);
- c. violating any voting agreement previously approved by any Federal banking agency; or
- d. voting for a director, or serving or acting as an institution-affiliated party, as defined in sections 3(u) and 8(b)(3) of the FDI Act, 12 U.S.C. §§ 1813(u) and 1818(b)(3), such as an officer, director or employee, in any institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A).

2. All communications regarding this Order shall be addressed to:

a. Richard M. Ashton, Esq.
Deputy General Counsel
Patrick M. Bryan, Esq.
Assistant General Counsel
Board of Governors of the Federal Reserve System
20th & C Streets, N.W.
Washington, D.C. 20551

b. Angela Asbell

with a copy to:

Stephen G. Layman, Esq.
Taylor, Ryan, Minton & Van Dalsem, P.C.
1437 South Boulder Avenue, Suite 1080
Tulsa, OK 74119

3. Any violation of this Order shall separately subject Asbell to appropriate civil or criminal penalties, or both, under sections 8(i) and (j) of the FDI Act, 12 U.S.C §§ 1818(i) and (j).

4. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, or any other Federal or state agency or department, from taking any other action affecting Asbell; provided, however, that the Board of Governors shall not take any further action against Asbell on any matters concerning or arising from the matters addressed by this Order based upon facts presently known by the Board of Governors.

5. Each provision of this Order shall remain fully effective and enforceable until expressly stayed, modified, terminated, or suspended in writing by the Board of Governors.

By order of the Board of Governors of the Federal Reserve System, effective this 13th day
of December, 2017.

**BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM**

/s/

Angela Asbell

By: /s/

Ann E. Misback
Secretary of the Board