


FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.



In the Matter of)

MARION EDWIN LOWERY, individually,)
and as an institution-affiliated party of)

PEOPLES STATE BANK OF COMMERCE)
NOLENSVILLE, TENNESSEE)

(INSURED STATE NONMEMBER BANK))
_____)

ORDER OF PROHIBITION
FROM FURTHER PARTICIPATION

FDIC-14-0350e

MARION EDWIN LOWERY (“Respondent”) has been advised of the right to receive a NOTICE OF INTENTION TO PROHIBIT FROM FURTHER PARTICIPATION to be issued by the Federal Deposit Insurance Corporation (“FDIC”) detailing the alleged violations of Regulation O, unsafe or unsound banking practices and/or breaches of fiduciary duty for which an ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (“ORDER”) may issue, and has been further advised of the right to a hearing on the alleged charges under 12 U.S.C. § 1818(e), and the FDIC’s Rules of Practice and Procedure, 12 C.F.R. Part 308. Having waived those rights subject to the FDIC’s adherence to the parties’ agreement, the Respondent entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER OF PROHIBITION FROM FURTHER PARTICIPATION (“CONSENT AGREEMENT”) with a representative of the Legal Division of the FDIC, whereby solely for the purpose of this proceeding and without admitting any violations, unsafe or unsound banking practices, and/or any breaches of fiduciary duty, Respondent consented to the issuance of an ORDER by the FDIC.

The FDIC considered the matter and believes it had reason to suspect that:

(a) The Respondent has violated Regulation O, engaged or participated in unsafe or unsound banking practices, and/or breached his fiduciary duties as an executive officer, director and institution-affiliated party of PEOPLES STATE BANK OF COMMERCE, NOLENSVILLE, TENNESSEE ("Bank");

(b) By reason of such alleged violations, practices and/or breaches of fiduciary duty, the Bank has suffered or will probably suffer financial loss or other damage; and

(c) The alleged violations, practices and/or breaches, if proven, would demonstrate the Respondent's personal dishonesty and/or willful and/or continuing disregard for the safety or soundness of the Bank.

The FDIC also believes that such violations, practices and/or breaches, if proven, would demonstrate the Respondent's unfitness to serve as a director, officer, person participating in the conduct of the affairs, or as an institution-affiliated party of the Bank, any other insured depository institution, or any other agency or organization enumerated in 12 U.S.C. § 1818(e)(7)(A).

The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER OF PROHIBITION
FROM FURTHER PARTICIPATION

1. MARION EDWIN LOWERY is hereby, without the prior written approval of the FDIC and the appropriate Federal financial institutions regulatory agency, as that term is defined in 12 U.S.C. § 1818(e)(7)(D), prohibited from:

(a) participating in any manner in conducting the affairs of any financial institution or

organization enumerated in 12 U.S.C. § 1818(e)(7)(A);

(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 financial institution enumerated in 12 U.S.C. § 1818(e)(7)(A);

(c) violating any voting agreement previously approved by the appropriate Federal banking agency; or

(d) voting for a director, or serving or acting as an institution-affiliated party.

2. This ORDER will become effective upon its issuance by the FDIC. The provisions of this ORDER will remain effective and enforceable except to the extent that, and until such time as, any provision of this ORDER shall have been modified, terminated, suspended, or set aside by the FDIC.

Pursuant to delegated authority.

Dated this 17th day of August, 2015.

_____/s/_____
Christopher J. Newbury
Associate Director
Division of Risk Management Supervision