ROSS MALLIOUX

Banking Expert Witness · Independent Consultant
Operations · Lending · Standards of Care
Fayetteville, Arkansas · Nationwide Casework
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PROFESSIONAL SUMMARY

Independent banking expert witness and former senior banking executive with more than 40 years of progressive responsibility in community and regional financial institutions. Career roles include Chief Lending Officer, Loan Committee Chair, Division President, Market President, Senior Vice President, and Director of Mortgage Lending.

Experience includes executive responsibility for retail banking and deposit operations, residential mortgage lending, commercial and consumer lending, credit administration, internal controls, regulatory compliance, fraud prevention, federal regulatory examinations, lending-related litigation, and disposition of foreclosed and bank-owned assets.

Engaged by plaintiff and defense counsel, and in appropriate matters directly by parties and financial institutions, to provide independent analysis and expert opinion regarding banking practices, standards of care, operational conduct, lending practices, credit administration, fraud-related issues, and regulatory compliance. Work commonly includes document-intensive review, evaluation of institutional conduct against accepted banking practices, preparation of expert reports, deposition testimony, and trial testimony.

Testimony experience includes United States District Court, United States Bankruptcy Court, Arkansas state courts, and federal grand jury proceedings.

PROFESSIONAL HIGHLIGHTS

• More than 40 years of executive banking experience spanning community and regional financial institutions.
• Former Chief Lending Officer, Division President, Market President, Senior Vice President, Director of Mortgage Lending, and Loan Committee Chair.
• Executive responsibility for retail banking operations, residential mortgage lending, commercial lending, consumer lending, credit administration, internal controls, fraud prevention, and regulatory compliance.
• One of the five most senior executive officers of a publicly traded financial institution.
• Primary management representative during federal regulatory examinations involving lending and credit administration.
• Bank-designated litigation representative in depositions and trial testimony.
• Experience testifying in United States District Court, United States Bankruptcy Court, Arkansas state courts, and federal grand jury proceedings.
• Retained nationwide as a banking expert witness involving accepted practices, banking operations, lending practices, payment systems, fraud, and regulatory compliance.

AREAS OF EXPERTISE

Representative Banking Subject-Matter Areas

Banking Operations & Standards of Care

• Banking Standards of Care and Generally Accepted Banking Practices
• Retail Banking Operations and Internal Controls
• Payment Systems, Funds Movement, and Consumer Transaction Processing
• Wire Fraud, Business Email Compromise, and Recall-Request Handling
• Negotiable Instruments, Check Processing, and Check Fraud (UCC Articles 3 & 4)
• BSA/AML Compliance, Customer Authentication, and Branch-Level Fraud Prevention
• Identity Fraud Prevention and Customer Identification Program (CIP)
• Elder Financial Exploitation Detection and Bank Response
• Institutional Governance and Operational Controls

Lending and Credit Administration

• Residential Mortgage Lending Practices
• Commercial, Construction, and Consumer Lending Practices
• Consumer, Commercial, and Mortgage Credit Administration
• Credit Underwriting, Credit Report Analysis, and Borrower Capacity Verification
• Loan Documentation and Disclosure Practices (TRID, RESPA, TILA, Fair Lending, Ability-to-Repay)
• Real Estate Closing Funds Flow and Coordination with Title and Settlement Agents
• Commercial Loan Workout, Forbearance, and Loss Mitigation Practices
• Loan Default, Collection, and Lender Reliance on Borrower and Third-Party Representations
• Foreclosure, Collateral Recovery, and Disposition of Bank-Owned Assets
• Insider Transactions, Regulation O, and Conflicts of Interest in Lending

Expert Witness Services

• Banking Standards of Care and Causation Analysis
• Damages and Mitigation Analysis
• Regulatory Examination and Compliance Practices
• Expert Reports, Depositions, and Trial Testimony

EXPERT WITNESS & CONSULTING PRACTICE | PLAINTIFF AND DEFENSE

Provides independent expert witness and consulting services in litigation, arbitration, regulatory, and pre-litigation matters involving banking operations, lending practices, credit administration, regulatory compliance, fraud, internal controls, and regulatory expectations applicable to financial institutions.

Accepts engagements from plaintiff and defense counsel, financial institutions, businesses, and private parties in both testifying and consulting capacities.

Representative engagements commonly include evaluation of banking policies and procedures, institutional conduct, transaction records, loan files, internal controls, regulatory guidance, and industry practices to determine whether actions were consistent with accepted banking standards under the facts and circumstances presented.

Representative Subject-Matter Areas

• Bank operational, lending, and credit-administration industry standards.
• Funds movement, payment processing, and customer transaction disputes
• Real estate closing, title-company, and settlement-agent banking issues
• Loan origination, documentation, and consumer-disclosure practices

• Foreclosure, collateral recovery, and bank-owned asset disposition
• Internal controls, fraud prevention, and BSA/AML compliance practices

TESTIMONY EXPERIENCE

Testimony experience includes federal and state courts in matters involving banking, lending, and financial issues, including:

• United States District Court, Western District of Arkansas — Trial testimony
• United States District Court, Western District of Arkansas — Federal grand jury testimony
• United States Bankruptcy Court — Testimony in adversary proceedings
• Arkansas state courts — Depositions and trial testimony in civil litigation

Pursuant to Rule 26(a)(2)(B), a case-specific list of testimony provided during the preceding four years and publications authored during the preceding ten years is furnished in connection with individual engagements, as applicable.

PROFESSIONAL EXPERIENCE · 1984 – PRESENT

Ross Mallioux Expert Witness LLC Fayetteville, Arkansas
Principal, Banking Expert Witness & Independent Consultant | February 2026 – Present

Provides independent expert witness and consulting services in litigation, arbitration, regulatory, and pre-litigation matters involving banking operations, lending practices, credit administration, regulatory compliance, internal controls, fraud prevention, and banking standards of care.

Retained by plaintiff and defense counsel, financial institutions, businesses, and private parties to evaluate banking conduct, analyze complex financial transactions, prepare expert reports, provide deposition and trial testimony, and assist in the evaluation of banking issues before and during litigation.

Representative assignments include matters involving:
• Banking standards of care
• Retail banking operations and internal controls
• Wire transfers, payment systems, and funds movement
• Mortgage lending and consumer lending practices
• Commercial lending and credit administration
• Fraud prevention and customer authentication
• BSA/AML compliance
• Foreclosure, collateral recovery, and lender conduct
• Regulatory compliance and banking governance

First National Bank of Fort Smith Fort Smith, Arkansas
Senior Vice President, Director of Mortgage Lending | February 2022 – January 2026

$2+ billion privately held regional bank operating 22 branches across western and northwest Arkansas and eastern Oklahoma.

Directed residential mortgage lending operations, including secondary-market production, portfolio lending, residential construction lending, processing, closing, and post-closing functions. Executive responsibilities included operational oversight, policy development, internal controls, regulatory compliance, and supervisory practices governing mortgage lending activities subject to TRID, RESPA, TILA, Fair Lending, and Ability-to-Repay requirements.

Served as a member of the bank's Compliance Committee (chaired by the Director of Compliance, and comprised of executive and department leadership) responsible for enterprise-wide compliance matters, including BSA/AML, audit, lending compliance, regulatory developments, and operational risk management.

Led development and evaluation of mortgage compensation structures, modernization of secondary-market pricing methodologies, loan origination system enhancements, fraud prevention initiatives, residential construction underwriting standards, and loan documentation practices.

Chambers Bank Fayetteville, Arkansas

Senior Vice President, Mortgage Lending | November 2020 – January 2022

$860 million privately held state-chartered bank operating twenty-four branches across western and northwest Arkansas.

Originated residential mortgage loans and supported growth of the northwest Arkansas mortgage lending market through direct production and customer development activities.

Bank OZK Fayetteville, Arkansas

Market President, promoted to Division President | April 2011 – October 2020

$40 billion publicly traded regional bank operating across Arkansas, Florida, Georgia, North Carolina, Tennessee, and Texas.

Promoted from Market President to Division President with executive responsibility for an operating division encompassing more than a dozen branches. Directed retail banking operations, deposit operations, consumer and commercial lending, branch administration, and lending-related funding activities throughout the assigned market.

Executive oversight included retail deposit operations, teller and customer-service functions, account opening, customer authentication, cash and vault management, branch security, BSA/AML compliance, internal controls, and the operational practices governing customer deposits, payments, and funds movement.

Directed consumer, commercial, and construction lending activities, including origination, underwriting, funding, and loan disbursement through coordination with title companies, settlement agents, and other closing intermediaries.

Supported due diligence and post-acquisition integration of retail and lending operations associated with acquisitions in Georgia, Florida, and North Carolina. Additional responsibilities included Community Reinvestment Act (CRA) lending initiatives, specialized lending programs, and implementation of the Paycheck Protection Program (PPP) throughout Arkansas markets during 2020.

First Federal Bank Fayetteville, Arkansas

Chief Lending Officer · Loan Committee Chair · Division President | May 1984 – April 2011

$750 million publicly traded state-chartered bank operating twelve branches. Member of the executive leadership team responsible for the bank's 1996 conversion from private ownership to a publicly traded company. One of the bank's five most senior executive officers, as disclosed in SEC filings, and a member of the Operations Executive Committee.

Chief Lending Officer

Directed institution-wide residential mortgage, commercial, consumer, and construction lending activities. Executive responsibility included lending administration, underwriting standards, credit policy, staffing, processing, closing, servicing, problem-credit administration, exception management, and the operational practices governing loan funding and disbursement.

Served as the primary management representative during federal regulatory examinations involving lending and credit administration. Directed lending-related litigation, including retention and

management of outside counsel, oversight of problem-credit resolution, foreclosure strategy, and disposition of bank-owned assets. Also served as the bank's designated representative in depositions and trial testimony.

Loan Committee Chair
Chaired the bank's Loan Committee with responsibility for review of complex credit relationships, loan structure, collateral evaluation, appraisal review, underwriting methodology, lending exceptions, and adherence to accepted lending principles and regulatory expectations.

Division President
Directed retail banking operations for the bank's largest operating division, including branch administration, staffing, deposit operations, internal controls, customer-service operations, cash management, account opening, customer authentication, branch security, BSA/AML compliance, and the operational practices governing deposits, payments, and funds movement.

PROFESSIONAL METHODOLOGY

Opinions are developed through application of accepted banking practices, applicable laws and regulations, regulatory guidance, industry standards, and prudent risk-management principles in effect at the time of the events at issue.
Analysis typically includes evaluation of institutional policies and procedures, internal controls, system configuration, documentation, training, supervision, regulatory expectations, and the reasonableness of institutional conduct under the facts and circumstances presented.
Materials commonly reviewed include loan files, deposit records, transaction histories, institutional policies and procedures, regulatory materials, correspondence, deposition testimony, and other information reasonably relied upon by banking professionals in evaluating similar matters.
Opinions are independent, objective, and are not influenced by compensation or the outcome of the engagement.

SCOPE OF SERVICES

Engagements may include pre-litigation advisory and consulting analysis, initial case assessment, document and discovery review, preparation of written expert reports compliant with Federal Rule of Civil Procedure 26 (and analogous state rules), review and rebuttal of opposing expert reports, deposition testimony, trial testimony, and consultation on case strategy and demonstrative materials.

EDUCATION AND CREDENTIALS

Bachelor of Science in Business Administration
Concentration in Finance, Banking & Real Estate · University of Arkansas, Sam M. Walton College of Business · 1984

Certified Residential Appraiser (CR) — formerly licensed
Background and experience in valuation review, appraisal practices, and collateral oversight in lending operations.

Real Estate Broker — formerly licensed
Background in real-estate transactions relevant to mortgage and commercial real-estate lending.