

ROSS MALLIOUX

Curriculum Vitae



Fayetteville, Arkansas (Nationwide Casework)
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Independent Expert Witness
Retail Banking, Mortgage, Consumer & Commercial Lending Practices
Banking Operations | Credit Administration | Regulatory Practices
Standards of Care

PROFESSIONAL OVERVIEW

Independent expert witness and former senior banking executive with more than 40 years of experience in the operation and oversight of community and regional financial institutions. Professional background includes executive leadership roles such as Market President, Chief Lending Officer, and Director of Mortgage Lending, with direct responsibility for retail banking operations, residential mortgage lending, commercial and consumer lending, credit administration, and disposition of foreclosed and bank-owned assets.

Experience includes direct operational and lending authority, involvement in day-to-day banking functions, and working directly with outside counsel in contested matters. Served as a designated bank representative in depositions and trial proceedings involving banking and financial issues.

PROFESSIONAL BANKING EXPERIENCE, 1984-2026

First National Bank of Fort Smith, Arkansas

Senior Vice President, Director of Mortgage Lending | February 2022 – January 2026

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

Responsible for oversight of residential mortgage lending operations, including secondary market origination, portfolio mortgage products, processing, closing, and post-closing functions. Oversight included construction lending, adjustable-rate and balloon mortgage products subject to TRID disclosure requirements. Responsibilities encompassed oversight of lending practices subject to TRID, RESPA, TILA, Fair Lending, and Ability-to-Repay requirements, including policy development, operational controls, and supervisory practices. Involved in the development and evaluation of mortgage compensation structures, marketing practices, and loan origination system

configurations. Participated in modernization of secondary market pricing methodologies and strengthening of fraud prevention controls, 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 24 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

Division President | April 2011 – October 2020

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

Served as Division President with responsibility for retail banking operations and consumer and commercial lending activities within the assigned market. Responsibilities included oversight of branch operations, lending production, staffing, and operational controls consistent with institutional policies and accepted banking practices. Supported due diligence and post-acquisition integration efforts related to retail and lending operations in Georgia, Florida, and North Carolina. Provided oversight of Community Reinvestment Act (CRA)-related lending activities and specialized lending programs. Led implementation of the Paycheck Protection Program (PPP) within Arkansas markets during 2020 pursuant to the CARES Act. Focused on strengthening staffing models, internal controls, and operational practices consistent with accepted banking practices.

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 12 branches; subsequently acquired by Arvest Bank. Member of the executive team responsible for the bank's conversion from private ownership to a public company in 1996.

As Chief Lending Officer, had responsibility for residential mortgage lending, commercial lending, consumer lending, and construction lending activities. Responsibilities encompassed lending administration, underwriting standards, staffing, processing, closing, servicing practices, problem credit identification, and exception management. Served as the primary point of contact for federal regulatory examinations related to lending and credit administration. Managed and

coordinated lending-related litigation, including retention of outside counsel, oversight of problem credits, and disposition of foreclosed and bank-owned assets. Served as the bank's designated witness in litigation, including depositions and trial testimony.

As Loan Committee Chair, provided oversight of loan structuring, collateral evaluation, appraisal review, and underwriting methodology, including consideration of accepted lending principles, fair lending requirements, and ability-to-repay standards.

As Division President, managed retail banking operations, including staffing, internal controls, branch operations, and adherence to accepted banking practices.

TESTIMONY EXPERIENCE

- Trial testimony in federal court before the United States District Court for the Western District of Arkansas involving financial and banking matters.
- Grand jury testimony convened by the United States District Court for the Western District of Arkansas relating to financial and banking matters.
- Depositions and trial testimony in civil litigation involving banking and financial matters before Arkansas state courts.
- Testimony in adversary proceedings before the United States Bankruptcy Court.

AREAS OF EXPERTISE

Representative and non-exhaustive, based on professional experience.

- Generally Accepted Banking Practices (as informed by regulatory guidance, institutional policies, and examiner expectations)
- Retail Banking Operations and Internal Controls
- Residential Mortgage Lending Practices
- Commercial and Construction Lending Practices
- Consumer and Commercial Credit Administration
- Loan Documentation and Disclosure Practices
- Regulatory Examination and Compliance Practices
- Litigation Support and Banking Standards Analysis
- Foreclosure, Collateral Recovery, and Disposition of Bank-Owned Assets
- Institutional Governance and Standards of Care

GENERALLY ACCEPTED BANKING PRACTICES FRAMEWORK

Opinions formed by reference to accepted banking practices, applicable laws and regulations, regulatory guidance, and prudent risk management principles in effect at the relevant time.

Analysis considers institutional policies and procedures, system configuration, training and supervision, documentation practices, and the reasonableness of actions under the facts and circumstances presented. Opinions are independent of compensation paid, case outcome, and rendered without advocacy or bias. Methodologies include review of loan files, transactional histories, system configuration, policies and procedures, regulatory guidance, deposition testimony, and other case-specific materials typically relied upon by banking professionals.

EDUCATION | CREDENTIALS | ORGANIZATIONS

- B.S.B.A., Finance, Banking & Real Estate — University of Arkansas, Sam M. Walton College of Business (1984).
- Certified Real Estate Appraiser (CR) — (formerly licensed) background and experience in valuation review and collateral oversight.
Certified Real Estate Broker — (formerly licensed) background in real estate transactions relevant to lending.