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Bank Regulators Set New Expectations for Approving Bank Mergers

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Written by **Eric S. Kracov**

In recent years, the path to approval for bank mergers has often been uncertain, meandering and frustrating for all parties. Often, the merging institutions have been forced to extend the drop-dead dates in the face of regulatory uncertainty and, in some cases, deals have been abandoned because the parties lacked a clear path to agency approval. This situation is likely to improve as two federal regulators — the Office of the Comptroller of the Currency (OCC) and the Federal Deposit Insurance Corp. (FDIC) — have issued final guidance that should provide greater clarity about the prospects for regulatory approval before financial institutions sign a merger agreement.

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Eric S. Kracov

t 212.775.8732

ekracov@ktslaw.com