

PRAYER

The Class Representatives respectfully pray that the Court grant its Motion for Leave to File Notice of Certain Class Action Plaintiffs' Objection to Receiver's Motion for Entry of Second Amended Order Appointing Receiver and Brief in Support thereof.

Respectfully submitted,

HOHMANN, TAUBE & SUMMERS, L.L.P

By: /s/ Guy M. Hohmann

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**ATTORNEYS FOR PERSHING CLASS
ACTION PLAINTIFFS**

CERTIFICATE OF SERVICE

On January 22, 2010, I electronically submitted the foregoing document with the clerk of the court of the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served the Court- appointed Receiver, all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

By: _____/s/_____
Guy M. Hohmann

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SECURITIES AND EXCHANGE COMMISSION	§	
	§	
Plaintiffs,	§	CASE NO. 3:09CV0298-N
	§	
vs.	§	
	§	
STANFORD INTERNATIONAL BANK, LTD.,	§	ET AL.,
	§	
Defendants.	§	

**NOTICE OF CERTAIN CLASS ACTION PLAINTIFFS’
OBJECTION TO RECEIVER’S MOTION FOR ENTRY OF
SECOND AMENDED ORDER APPOINTING RECEIVER**

Lynne Turk, individually and as Trustee of the Lynne Caponera Revocable Trust, Gary and Laurie Spellman, and Susan Blount, individually and on behalf of all others similarly situated (collectively, the “Class Representatives”), file this Notice of Objection to the Receiver’s Motion for Entry of Second Amended Order Appointing Receiver (Doc. 958), and of their intent to file an opposition brief within 7 business days of this Notice, and would show as follows:

1. The Class Representatives are the named plaintiffs in the following class action filed on behalf of purchasers of Stanford International Bank Ltd. Certificates of Deposit pending in this Court: *Lynne Turk, Gary and Laurie Spellman and Susan Blount vs. Pershing LLC*, 3:09-cv-02199-B (the “Pershing Class Action”).¹

2. The Class Representatives have sued Pershing LLC (“Pershing”), and only Pershing, which acted as the clearing firm for the Stanford entities during the relevant time

¹ Lynne Turk, individually and as Trustee of the Lynne Caponera Revocable Trust, is also a named plaintiff in another class action filed solely on behalf of Florida purchasers of Stanford International Bank Ltd. Certificates of Deposit pending in this Court: *Lynne Turk vs. Pershing LLC*, 3:09-cv-02198-N.

period. The Class Representatives allege that Pershing is individually and severally liable for violating the Texas Securities Act and alternatively, the Florida Securities and Investor Protection Act, by aiding, abetting, and participating in Stanford's offer and sale of unregistered, non-exempt securities.

3. On December 22, 2009, Pershing filed a motion in the Pershing Class Action to stay the Class Action (Doc. 22) based on paragraph 10 of the Court's March 12, 2009 Amended Order Appointing Receiver (the "Amended Order"). On January 12, 2010, the Class Representatives filed their Response in opposition to Pershing's motion along with their Brief and Appendix in support thereof (Doc. 30, 31, & 32), setting forth in detail the reasons why the Amended Order is not applicable to the Pershing Class Action and why it should not be stayed.

4. The following day, January 13, 2010, the Receiver filed his Motion for Entry of Second Amended Order Appointing Receiver in this case (the "Receiver's Motion"). The proposed Order includes revisions that are clearly designed to protect Pershing from the Class Members' claims.² Therefore, the Receiver's Motion directly and adversely affects the Pershing Class Action and the Class Members' rights and claims against Pershing.

5. Despite a well established dialogue between Receiver's Counsel and Class Counsel (as reflected in the above referenced Brief and Appendix, Doc. 31 & 32), and the fact that the Receiver's motion is an "end round" designed to benefit Pershing at the Class Members' expense, the Class Members were not served with the Receiver's Motion. Nor did the Receiver otherwise notify the Class Members' counsel that the Receiver was seeking to Amend the Order in response to the Class Members' opposition to the Pershing motion and in a manner adversely

² See Receiver's proposed Order (redline) ¶¶ 9 and 10 (Doc. 958, App. 10-21).

affecting the Class Members' claims against Pershing. Class Counsel discovered the Receiver's filing on January 19, 2010 as a result of reviewing the docket in this case.

6. As such the Class Representatives *hereby object* to the Receiver's Motion, and intend to file an opposition brief within 7 business days from the date of this Notice, unless this Court requests such brief sooner.

Respectfully submitted,

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By: _____/s/_____
Guy M. Hohmann

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SECURITIES AND EXCHANGE COMMISSION	§	
	§	
Plaintiffs,	§	CASE NO. 3:09-cv-00298-N
	§	
vs.	§	
	§	
STANFORD INTERNATIONAL BANK, LTD.,	§	
ET AL.,	§	
Defendants.	§	

ORDER GRANTING MOTION FOR LEAVE TO FILE NOTICE OF CERTAIN CLASS ACTION PLAINTIFFS' OBJECTION TO RECEIVER'S MOTION FOR ENTRY OF SECOND AMENDED ORDER APPOINTING RECEIVER AND BRIEF IN SUPPORT THEREOF

The Court, having considered the Class Representatives' Motion for Leave to File Notice of Certain Class Action Plaintiffs' Objection to Receiver's Motion for Entry of Second Amended Order Appointing Receiver and Brief in Support thereof has determined that the Class Representatives' Motion should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Class Representatives' Motion for Leave to File Notice of Certain Class Action Plaintiffs' Objection to Receiver's Motion for Entry of Second Amended Order Appointing Receiver and Brief in Support thereof is hereby GRANTED.

Further, the Class Representatives shall file their brief in support of their Motion within 7 business days of the date of the filing of their Motion.

Signed this ____ day of _____, 2010.

PRESIDING JUDGE