

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

SECURITIES AND EXCHANGE COMMISSION, §
§
Plaintiff, §
§

v. § Case No.: 3-09-CV-0298-N
§

STANFORD INTERNATIONAL BANK, LTD., §
STANFORD GROUP COMPANY, §
STANFORD CAPITAL MANAGEMENT, LLC, §
R. ALLEN STANFORD, JAMES M. DAVIS, and §
LAURA PENDERGEST-HOLT, §
§
Defendants. §

**REPLY IN SUPPORT OF JOINT MOTION OF THE SEC AND RECEIVER FOR
ENTRY OF SECOND AMENDED ORDER APPOINTING RECEIVER**

The Receiver has discovered that more than \$8 million in possibly recoverable assets traceable to the Receivership Estate are located in several federal districts where the Complaint and Order Appointing Receiver were not filed within 10 days of his appointment as required to obtain jurisdiction and control of property under 28 U.S.C. § 754. Although the Receiver completed the requisite 754 filings in 29 districts where Stanford offices, employees, and real estate were located, it was not possible to identify all property and persons to whom Stanford assets had been transferred within 10 days. Reappointment will permit the Receiver to file the Complaint and Order in these additional districts and avoid the delay and cost of litigating in other jurisdictions.

In order to remedy this situation in the most efficient and expeditious manner, the Receiver requests that the Court enter the proposed Second Amended Order Appointing Receiver attached hereto, which is, in substance, identical to the Amended Order Appointing Receiver that has been in effect since March 2009. *See* Doc. 157. The only proposed “change” to the

Amended Order is the deletion of a clause that expired after 180 days. For the convenience of the Court a red line reflecting this change to the Amended Order is being filed contemporaneously as an exhibit.

On January 14, 2010, the Receiver filed the Joint Motion of the SEC and Receiver for Entry of Second Amended Order Appointing Receiver. Doc. 958. Six responses were filed, primarily objecting to the request that a new order expressly state that the litigation injunction applied to former Stanford agents and employees, Pershing LLC, and SEI Investment Company. *See Docs. 986, 992, 995, 996, 1001 & 1002.* The Receiver does not concede that the views of the objectors are correct, but has determined that it is in the best interest of the Estate to secure reappointment and complete additional 754 filings as expeditiously as possible.

Therefore the Receiver withdraws the proposed Order attached to the Motion. Instead, the Receiver asks that the Court enter the proposed Order filed with this reply, which effects no change in his appointment or the wording of the litigation injunction. This moots the objections to the Motion and will permit the Receiver to complete filings in another 15 federal districts.

Dated: March 5, 2010

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Kevin M. Sadler

Kevin M. Sadler
Texas Bar No. 17512450
kevin.sadler@bakerbotts.com
Robert I. Howell
Texas Bar No. 10107300
robert.howell@bakerbotts.com
David T. Arlington
Texas Bar No. 00790238
david.arlington@bakerbotts.com
1500 San Jacinto Center
98 San Jacinto Blvd.
Austin, Texas 78701-4039
(512) 322-2500
(512) 322-2501 (Facsimile)

Timothy S. Durst
Texas Bar No. 00786924
tim.durst@bakerbotts.com
2001 Ross Avenue
Dallas, Texas 75201
(214) 953-6500
(214) 953-6503 (Facsimile)

**ATTORNEYS FOR RECEIVER
RALPH S. JANVEY**

CERTIFICATE OF SERVICE

On March 5, 2010 I electronically submitted the foregoing motion and the proposed order with the clerk of court for 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 all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Kevin M. Sadler
Kevin M. Sadler