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

SECUDITIES AND EXCITANCE

SECURITIES AND EXCHANGE	§	
COMMISSION,	§.	
Plaintiff,	\$ \$ \$	
v.	§	CIVIL ACTION NO. 3-09-CV -0724-N
	§	
STANFORD INTERNATIONAL	8	
BANK, LTD., STANFORD GROUP	§	
COMPANY, STANFORD CAPITAL	§	
MANAGEMENT, LLC, R. ALLEN	§	
STANFORD, JAMES M. DAVIS, and	§	
LAURA PENDERGEST-HOLT,	§	
	§	
Defendants,	§	
	§	
and JAMES A. ALGUIRE, ET AL.,	§	
	§	
Relief Defendants.	§	

EXAMINER'S RESPONSE IN SUPPORT OF APPLICATION FOR PRELIMINARY INJUNCTION OR WRIT OF ATTACHMENT

John J. Little, the Court-appointed Examiner in Civil Action No. 3-09-CV-0298-N, respectfully submits this Response in support of the Receiver's Application for Preliminary Injunction or, in the Alternative, Writ of Attachment (Doc. 392).

BACKGROUND

The Receiver has filed fraudulent transfer claims against 329 former employees of the Stanford entities, seeking to recover a total amount well in excess of \$215,000,000. Doc. 393 at 17 of 291. The Receiver currently asks the Court to enter a preliminary injunction (or, alternatively, a writ of attachment) that would have the effect of maintaining a freeze on accounts that hold approximately \$25,000,000 – a little more than 10% of the amount claimed by the Receiver. The accounts that the Receiver seeks to keep frozen belong to 117 of the defendants

(just over 1/3 in number) against whom the Receiver seeks to recover just under \$140,000,000 (roughly 2/3 of the total amount claimed). Doc. 329 at 5 of 35.

ARGUMENT

The Examiner does not wish to burden the Court with repetitive arguments, and is mindful of the Court's admonition to avoid duplicating the efforts of the Receiver. *See* Doc. 322 at 3. The Examiner is confident that the Receiver's briefing has addressed, and will address, all of the issues raised by the former Employee Defendants in their various Responses to the Receiver's Application.

In brief, the Examiner supports the relief sought by the Receiver in his Application.

Unlike the Receiver's prior effort to freeze the accounts of admittedly innocent Investors, which the Examiner opposed, the Receiver's current request has been appropriately narrowed such that it serves the interests of the public and the Investors without placing an undue burden on the Respondents. Absent the relief sought by the Receiver, the Examiner shares the Receiver's belief that the currently frozen assets will be promptly dissipated, such that any judgment the Receiver might ultimately receive against the Former Employees will be of little value to the Estate or the Investors.

Respectfully submitted,

/s/ John J. Little
John J. Little
Tex. Bar No. 12424230

LITTLE PEDERSEN FANKHAUSER, LLP 901 Main Street, Suite 4110 Dallas, Texas 75202 (214) 573-2300 (214) 573-2323 [FAX] Of Counsel:

LITTLE PEDERSEN FANKHAUSER L.L.P.

Stephen G. Gleboff Tex. Bar No. 08024500 Walter G. Pettey, III Tex. Bar No. 15858400 Megan K. Dredla Tex. Bar No. 24050530

901 Main Street, Suite 4110 Dallas, Texas 75202 Telephone: 214.573.2300

Fax: 214.573.2323

CERTIFICATE OF SERVICE

On May 24, 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 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/ John J. Little