

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

SECURITIES AND EXCHANGE COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:09-CV-0298-N
	§	
STANFORD INTERNATIONAL BANK, LTD., ET	§	
AL.,	§	
	§	
Defendants.	§	

In re:	§	
	§	
STANFORD INTERNATIONAL BANK, LTD.,	§	Civil Action No. 3:09-CV-0721-N
	§	
Debtor in a Foreign Proceeding.	§	
	§	

**APPENDIX IN SUPPORT OF RECEIVER’S REPLY IN SUPPORT OF AMENDED
JOINT MOTION OF THE SEC, RECEIVER, EXAMINER, AND OFFICIAL
STANFORD INVESTORS COMMITTEE TO APPROVE SETTLEMENT AGREEMENT
AND CROSS-BORDER PROTOCOL**

Dated: April 5, 2013.

Respectfully submitted,

BAKER BOTTS L.L.P.

/s/ Kevin M. Sadler

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ATTORNEYS FOR RECEIVER

RALPH S. JANVEY

CERTIFICATE OF SERVICE

On April 5, 2013, 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 Examiner, 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

APPENDIX A

From: Gilardi & Co. LLC [info@stanfordfinancialclaims.com]
Sent: Thursday, March 21, 2013 5:20 PM
To: [REDACTED]
Subject: Important Announcement Concerning Stanford Receivership -- Please Read

The Joint Liquidators (JLs) Marcus Wide and Hugh Dickson of the Stanford International Bank, Ltd. (SIB) and the U.S. Receiver for Stanford Financial Group and all related entities (Receiver), have entered into a Settlement Agreement and Cross-Border Protocol (Settlement Agreement) with one another, the U.S. Examiner, John Little, the Official Stanford Investors Committee (OSIC), the U.S. Department of Justice (DOJ), and the Securities and Exchange Commission (SEC). The Advisory Creditors Committee of the Liquidation of SIB has also voted to give its approval to the Settlement Agreement.

Among many other benefits, the Settlement Agreement resolves litigation over approximately \$300 million in assets frozen in Canada, Switzerland and the United Kingdom, and creates a unified plan among the JLs, the Receiver, and the DOJ to expedite the handling and distribution of those assets to creditor-victims.

The Settlement Agreement will only become effective after it has been approved by courts in the US, Antigua, and the U.K. On March 12, 2013, the Receiver, SEC, Examiner, and Official Stanford Investors Committee filed a Joint Motion to Approve the Settlement Agreement in the U.S. District Court for the Northern District of Texas. **Responses to the Joint Motion must be filed no later than March 28, 2013 at 5:00 p.m. central and the Court will hold a hearing on the Joint Motion on Thursday, April 11, 2013 at 9:00 a.m. central** The text of the Court's Order setting the response deadline and hearing is set forth below. Anyone considering filing a response to the Joint Motion or appearing in the U.S. District Court in relation to the motion should consult with their own legal counsel.

After all three courts have approved the Settlement Agreement, it will become effective and pursuant to the terms of the Settlement Agreement the parties will pursue the release of funds via appropriate legal processes in the respective countries, including Canada and Switzerland. The Settlement Agreement has several benefits, including that it:

- o creates a plan for the distribution of almost 90% of the frozen assets from the U.K., Canada, and Switzerland pursuant to which distributions will be made as soon as the necessary approvals are obtained from the pertinent authorities in those countries;
- o allocates \$36 million of the funds in the U.K. to the JLs' estate in order to pursue additional funds for the estate, to be released over time under the supervision of the Central Criminal Court in London, which the JLs expect to significantly enhance amounts available for distribution because those funds will be used to further additional asset recovery efforts. The remaining \$44 million of the funds in the U.K. will be distributed to creditor-victims by the JLs;
- o allocates in Canada all \$23 million to the DOJ to be transferred to the Receiver to be distributed to creditor-victims;
- o allocates in Switzerland \$132.5 million to be forfeited to the DOJ and transferred to the Receiver to be distributed to creditor-victims and \$60.5 million to be transferred to the JLs for distribution to victims;

- o provides that distribution of the frozen funds shall be made to creditor-victims of SIB and not to other claimants such as the Internal Revenue Service or the Antiguan government;
- o provides a framework for the sharing of information among the JLs, the Receiver, and OSIC to achieve efficiencies, minimize burdens, and maximize recoveries in Stanford-related litigation;
- o facilitates cooperation and coordination of efforts with respect to litigation and recovery and monetization of Stanford assets;
- o provides for coordination of claims and distribution processes between the JLs and the Receiver; and
- o terminates the substantial expense of competing legal claims to, and proceedings relating to, the frozen assets in Canada, the U.K., Switzerland, and the US.

The Settlement Agreement is a product of the parties' common goal of optimizing and enlarging the overall recovery for creditor-victims as quickly and cost-effectively as possible. The parties to the Agreement all believe that the Agreement is in the best interests of the victims of the Stanford fraud.

Further information, including a copy of the Agreement, the Joint Motion to Approve the Agreement, and a Q&A about the Agreement, are available on the U.S. Receiver's website at <http://stanfordfinancialreceivership.com>. Further information is also available on the JLs' official website at <http://www.sibliquidation.com>, and on the Examiner's website <http://www.lpf-law.com/>.

Text of March 18, 2013 Order of the U.S. District Court for the Northern District of Texas:

The Court will hold a hearing on the Receiver's motion for approval of interim distribution plan [1766] and the SEC, Receiver, Examiner, and Official Stanford Investors Committee's joint motion to approve settlement agreement and cross-border protocol (the "Joint Motion") [Doc. 1793 in *SEC v. Stanford*, 09-CV-298, Doc. 189 in *In re Stanford International Bank*, 09-CV-721] on Thursday, April 11, 2013 at 9:00 a.m. in Courtroom 1505. The time for parties to these actions to respond to the Receiver's motion for approval of interim distribution plan has lapsed, *see* N.D. TEX. R. CIV. P. 7.1(e), and the Court will not entertain any further responses or objections from those parties. Parties who wish to file a response to the Joint Motion must do so no later than March 28, 2013 at 5:00. Nonparties, including but not limited to investors or other potential claimants, may file written comments or objections to either motion, also no later than March 28, 2013 at 5:00 p.m. The Receiver may file a reply to those responses, comments, or objections no later than April 5, 2013 at 5:00 PM. During the hearing, the Court will not entertain comments, objections, or argument from parties or nonparties that failed to file written responses, comments, or objections.

Subject: Anuncio Importante Concerniente al Síndico Estadounidense de Stanford Financial Group --- Por Favor Lea

Los Liquidadores Conjuntos (LCs) Marcus Wide y Hugh Dickson de Stanford International Bank Ltd. (SIB) y el Administrador Judicial del Síndico Estadounidense de Stanford Financial Group y entidades relacionadas (Síndico), han ejecutado un Acuerdo de Reconciliación Global y Protocolo Transfronterizo (el "Acuerdo") entre ellos, el Examinador Estadounidense, John Little, el Comité Oficial de Inversionistas de Stanford (OSIC), el Departamento de Justicia Estadounidense (DOJ) y La Comisión de Bolsa y Valores de Los Estados Unidos (SEC). El Comité Consultivo de Acreedores de la Liquidación de SIB también ha votado para prestarle su aprobación al Acuerdo.

Entre muchos otros beneficios, el Acuerdo resuelve litigio sobre aproximadamente, más de \$300 millones de dólares en activos congelados en Canadá, Suiza y el Reino Unido, y además crea un plan unificado entre los LCs, el Síndico, y el DOJ para el manejo y distribución de los activos a las víctimas-acreedoras.

El Acuerdo solo será efectivo después de que sea aprobado por las cortes en los Estados Unidos, Antigua, y el Reino Unido. El día 12 de marzo del 2013, el Síndico, el SEC, el Examinador, y el Comité Oficial de Inversionistas de Stanford presentaron una Moción Conjunta para Aprobación antes el Tribunal De Distrito de Los Estados Unidos para el Distrito Norte de Texas. **Respuestas a esta Moción Conjunta deben ser sometidas antes del 28 de marzo de 2013 a las 5:00 p.m. central y la Corte tendrá una audiencia sobre la Moción Conjunta el Jueves, 11 de abril de 2013 a las 9:00 a.m. central. El texto contenido en la Orden del Tribunal estipulando el plazo disponible para someter respuestas y la audiencia se encuentra al final de este correo electrónico. Cualquiera persona que esté considerando someter una respuesta a la Moción Conjunta o aparecer en el Tribunal de Distrito de los EE.UU. en relación con la moción, debe consultar con su propia representación legal.**

Después de que las tres cortes aprueben el Acuerdo, este será efectivo y, de acuerdo a los términos del Acuerdo, las partes demandaran que los fondos sean liberados por medio de los procesos legales apropiados en los países respectivos, incluyendo Canadá y Suiza. El Acuerdo tiene varios beneficios, entre ellos:

- crea un plan para la distribución de casi 90% de los bienes congelados del Reino Unido, Canadá y Suiza, por el cual distribuciones serán efectuadas tan pronto se obtengan las aprobaciones necesarias de las autoridades pertinentes en esos países;
- asigna \$36 millones de los fondos en el Reino Unido al patrimonio de los LCs para recuperar bienes adicionales para el patrimonio y cuales fondos serán liberados al cabo del tiempo bajo la supervisión de la Corte Central Criminal ubicada en Londres; el cual los LCs esperan poder aumentar la cantidad disponible para distribución sustancialmente porque esos fondos serán utilizados para adelantar esfuerzos para la recuperación de bienes. Los \$44 millones adicionales de los fondos en el Reino Unido serán distribuidos a las víctimas-acreedoras por los LCs;
- asigna todos los \$23 millones de dólares en Canadá al DOJ para ser transferidos al Síndico para ser distribuidos a las víctimas-acreedoras;
- asigna \$132.5 millones de dólares en Suiza a ser sujetos a confiscación al DOJ y transferidos al Síndico para ser distribuidos a las víctimas-acreedoras y \$60.5 millones de dólares para ser transferidos a los LCs para distribución a las víctimas;
- provee que las distribuciones de los fondos congelados se harán a las víctimas-acreedoras de SIB y no a otros reclamantes, así como el Servicio de Impuestos Internos de los Estados Unidos o el gobierno de Antigua;
- provee una infraestructura para el intercambio de información entre los LCs, el Síndico, y el OSIC para alcanzar eficiencias, reducir las cargas, y maximizar las recuperaciones en litigios relacionados con Stanford;
- facilita cooperación y coordinación de esfuerzos con respecto a los litigios, las recuperaciones y la monetización de activos de Stanford;
- provee para la coordinación de los procesos de reclamaciones y distribuciones entre los LCs y el Síndico; y
- concluye el incurrimiento de costos sustanciales de rivales reclamos legales y procedimientos relacionados a los bienes congelados en Canadá, el Reino Unido, Suiza, y los Estados Unidos.

El Acuerdo es un producto de objetivo común de las partes de optimizar y ampliar la recuperación total de las víctimas-acreedoras de la manera más rápida y eficaz posible. Las partes al Acuerdo son de la opinión que el Acuerdo es en el mejor interés de las víctimas del fraude de Stanford.

Información adicional, incluyendo una copia del Acuerdo, será publicado en el sitio web del Síndico, localizado en <http://stanfordfinancialreceivership.com>, en el sitio web de los LCs, localizado en <http://www.sibliquidation.com>, y en el sitio web del Examinador, localizado en <http://www.lpf-law.com/>.

Texto contenido en la Orden del Tribunal de Distrito de los Estados Unidos para la Corte del Distrito Norte de Texas:

El Tribunal tendrá una audiencia sobre la Moción del Síndico Para la Aprobación del Plan de Distribución Provisional y sobre la Moción Conjunta del SEC, Síndico, Examinador, y el Comité Oficial de Inversionistas de Stanford para aprobación del Acuerdo de Reconciliación Global y Protocolo Transfronterizo (la "Moción Conjunta") [Doc. 1793 in *SEC v. Stanford*, 09-CV-298, Doc. 189 in *re: Stanford International Bank*, 09-CV-721] el Jueves, 11 de abril de 2013 a las 9:00 a.m. en la sala de justicia no.1505. El plazo para que las Partes a estas acciones respondan a la Moción del Síndico Para la Aprobación del Plan de Distribución Provisional ya ha expirado, vea N.D. TEX. R. CIV. P. 7.1(e), y el Tribunal no aceptara ninguna respuesta u objeción adicional de aquellas Partes. Partes que deseen someter una respuesta a la Moción Conjunta deben hacerlo a más tardar el día 28 de marzo de 2013 a las 5:00 p.m. Partes no participantes, incluyendo pero no limitado a inversores o víctimas potenciales, pueden someter por escrito comentarios u objeciones a cualquiera de las mociones, a más tardar el día 28 de marzo de 2013 a las 5:00 p.m. El Síndico podrá presentar una contestación a esas respuestas, comentarios, u objeciones a más tardar el día 5 de abril de 2013 a las 5:00 p.m. Durante la audiencia, el Tribunal no aceptara ningún comentario, objeción o argumento de las Partes o Partes no participantes que fallaron en someter por escrito respuestas, comentarios u objeciones.


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APPENDIX B



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

March 25, 2013

The Honorable David C. Godbey
U.S. District Court for the Northern District of Texas
1100 Commerce Street, Room 1452
Dallas, Texas 75242

Re: *Sec. and Exch. Comm'n v. Stanford Int'l Bank, Ltd., et al.*, case no.
3:09-CV-0298-N, and *In re: Stanford Int'l Bank, Ltd.*, case no. 3:09-CV-0721-N

Dear Judge Godbey:

In response to your March 19, 2013 Order in the above-referenced actions, the United States Department of Justice, by and through the undersigned attorneys, hereby writes to inform you that it supports the Securities and Exchange Commission, Receiver, Examiner, and Official Stanford Investors Committee's joint motion to approve the Settlement Agreement and Cross-Border Protocol.

Respectfully,

JAIKUMAR RAMASWAMY, Chief
Asset Forfeiture and Money Laundering Section

By: 

ANN MARIE BLAYLOCK BACON
JENNIFER E. AMBUEHL
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Phone: (202) 514-1263

APPENDIX C

March 26th, 2013

Dr. RALPH S. JANVEY

Members of the Official Stanford Investors Committee
2100 Ross Avenue, Suite 2600
Dallas, Texas 75201

Reference: Stanford International Fraud

Distinguished Dr. Janvey:

We very respectfully address this urgent communication to you in order to demonstrate our support to the proposed **Settlement Agreement and Cross-Border Protocol** to be signed by United State Department of Justice (DOJ), Joint Liquidator of SIB and STC and the USA Receiver, United States Securities and Exchange Commission (SEC), Examiner appointed by US Court John Little and Official Stanford Investors Committee (OSIC)

The below signatories (see attached list) firmly believe that this agreement is indispensable to proceed not only with the distribution of frozen money and start exchange information required to proceed with the third parties lawsuits which represent our only and true hope of recovery but to stop unnecessary and stupid fight between Receiver-JL – OSIC which has caused loss of millions of dollars which could be distributed to Stanford fraud victims.

We hope and demand that this agreement to be signed as soon as possible and actions are taken in order to proceed immediately with the distribution of the not much money that remains even and start to exchange information to speed up the third parties lawsuits process.

Sincerely

Stanford's victims (see attached list)

#	NAME	E MAIL ADDRESS
1	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]
15	[REDACTED]	[REDACTED]
16	[REDACTED]	[REDACTED]
17	[REDACTED]	[REDACTED]
18	[REDACTED]	[REDACTED]
19	[REDACTED]	[REDACTED]
20	[REDACTED]	[REDACTED]
21	[REDACTED]	[REDACTED]
22	[REDACTED]	[REDACTED]
23	[REDACTED]	[REDACTED]
24	[REDACTED]	[REDACTED]
25	[REDACTED]	[REDACTED]
26	[REDACTED]	[REDACTED]
27	[REDACTED]	[REDACTED]
28	[REDACTED]	[REDACTED]
29	[REDACTED]	[REDACTED]
30	[REDACTED]	[REDACTED]
31	[REDACTED]	[REDACTED]
32	[REDACTED]	[REDACTED]
33	[REDACTED]	[REDACTED]
34	[REDACTED]	[REDACTED]
35	[REDACTED]	[REDACTED]
36	[REDACTED]	[REDACTED]
37	[REDACTED]	[REDACTED]
38	[REDACTED]	[REDACTED]
39	[REDACTED]	[REDACTED]
40	[REDACTED]	[REDACTED]
41	[REDACTED]	[REDACTED]
42	[REDACTED]	[REDACTED]

#	NAME	E MAIL ADDRESS
43	[REDACTED]	[REDACTED]
44	[REDACTED]	[REDACTED]
45	[REDACTED]	[REDACTED]
46	[REDACTED]	[REDACTED]
47	[REDACTED]	[REDACTED]
48	[REDACTED]	[REDACTED]
49	[REDACTED]	[REDACTED]
50	[REDACTED]	[REDACTED]
51	[REDACTED]	[REDACTED]
52	[REDACTED]	[REDACTED]
53	[REDACTED]	[REDACTED]
54	[REDACTED]	[REDACTED]
55	[REDACTED]	[REDACTED]
56	[REDACTED]	[REDACTED]
57	[REDACTED]	[REDACTED]
58	[REDACTED]	[REDACTED]
59	[REDACTED]	[REDACTED]
60	[REDACTED]	[REDACTED]
61	[REDACTED]	[REDACTED]
62	[REDACTED]	[REDACTED]
63	[REDACTED]	[REDACTED]
64	[REDACTED]	[REDACTED]
65	[REDACTED]	[REDACTED]
66	[REDACTED]	[REDACTED]
67	[REDACTED]	[REDACTED]
68	[REDACTED]	[REDACTED]
69	[REDACTED]	[REDACTED]
70	[REDACTED]	[REDACTED]
71	[REDACTED]	[REDACTED]
72	[REDACTED]	[REDACTED]
73	[REDACTED]	[REDACTED]
74	[REDACTED]	[REDACTED]
75	[REDACTED]	[REDACTED]
76	[REDACTED]	[REDACTED]
77	[REDACTED]	[REDACTED]
78	[REDACTED]	[REDACTED]
79	[REDACTED]	[REDACTED]
80	[REDACTED]	[REDACTED]
81	[REDACTED]	[REDACTED]
82	[REDACTED]	[REDACTED]
83	[REDACTED]	[REDACTED]
84	[REDACTED]	[REDACTED]

APPENDIX D

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL

No.: 500-11-036045-090
(relating to proceedings # 81 and #94)

SUPERIOR COURT
(Commercial Division)
(Bankruptcy and Insolvency Act)

**STANFORD INTERNATIONAL BANK
LIMITED**

Debtor

and
MARCUS A. WIDE & HUGH DICKSON

Joint Liquidators / Petitioners

and
ERIC COHEN & RICHARD WATSON

Co-petitioners

and
RAYMOND CHABOT INC.

Proposed Interim Receiver

and
RALPH S. JANVEY

U.S. Receiver

and
ERNST & YOUNG INC.

Interim Receiver

and
**L'AUTORITÉ DES MARCHÉS
FINANCIERS**

Mise en cause

FAX TRANSMISSION SLIP
(Art. 146.02 C.C.P. and Rule 6 of R.P.C.S.)

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the sender:

Mtre. Julie Himo/Mtre. Azim Hussain
NORTON ROSE CANADA LLP
1 Place Ville Marie, Suite 2500
Montréal, Quebec H3B 1R1 CANADA
Tel.: +1 514.847.4747

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OSLER, HOSKIN & HARCOURT, LLP
1000 de la Gauchetière Street West
Montréal, QC H3B 4W5

Fax number of the addressee: 514-904-8101

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Nature of document: DECLARATION IN INTERVENTION/AFFIDAVIT OF MARCUS WIDE

I, THE UNDERSIGNED, CERTIFY TO HAVE TRANSMIT, AS DESCRIBED, THE FAX TRANSMISSION SLIP.

Date: August 17, 2012
Time: 15h34

Chantal Mignone
Secretary / Fax clerk

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CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL

No.: 500-11-036045-090
(relating to proceedings # 81 and #94)

SUPERIOR COURT
(Commercial Division)
(*Bankruptcy and Insolvency Act*)

STANFORD INTERNATIONAL BANK LIMITED

Debtor

and
MARCUS A. WIDE & HUGH DICKSON

Joint Liquidators / Petitioners

and
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Co-petitioners

and
RAYMOND CHABOT INC.

Proposed Interim Receiver

and
RALPH S. JANVEY

U.S. Receiver

and
ERNST & YOUNG INC.

Interim Receiver

and
L'AUTORITÉ DES MARCHÉS FINANCIERS

Mise en cause

FAX TRANSMISSION SLIP
(Art. 146.02 C.C.P. and Rule 6 of R.P.C.S.)

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Name and address of the addressee:

Mtre. Stéphanie Jolin
L'Autorité des marchés financiers
800 Square Victoria
Tour de la Bourse – 22nd Floor
Montréal, QC H4Z 1G3

Fax number of the addressee: 514-864-3316

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Nature of document: **DECLARATION IN INTERVENTION /AFFIDAVIT OF MARCUS WIDE**

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Date and time of transmission

Date: August 17, 2012

Time: _____

Secretary / Fax clerk

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CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL

No.: 500-11-036045-090

SUPERIOR COURT
(Commercial Division)
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Debtor

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Co-petitioners

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and
RALPH S. JANVEY

U.S. Receiver

and
ERNST & YOUNG INC.

Interim Receiver

and
L'AUTORITÉ DES MARCHÉS FINANCIERS

Mise en cause

DECLARATION IN INTERVENTION
(Articles 208 and seq. of the Code of Civil Procedure)

IN SUPPORT OF ITS DECLARATION IN INTERVENTION, THE JOINT LIQUIDATORS MARCUS A. WIDE AND HUGH DICKSON SUBMIT THE FOLLOWING:

A. PREAMBLE

1. The present declaration is made pursuant to art. 210 CCP and the decision of the Honourable Justice Auclair dated May 22, 2012 postponing the Joint Liquidators' Amended Motion to Vary an Order, for Recognition of a Foreign Proceedings and the Appointment of a Foreign Representative and of a Receiver, and for an Order

in respect of Estate Property (the **Amended Motion to Vary**) and requiring them to file a Declaration in Intervention following the filing by the US Receiver and Ernst & Young of their Motion for Directions (as defined below);

2. The status of Marcus A. Wide and Hugh Dickson as joint liquidators of Stanford International Bank Limited (hereinafter **SIB** or the **Bank**) appointed by the Eastern Caribbean Supreme Court High Court of Justice Antigua and Barbuda (the **High Court of Antigua**) is already set out in their Amended Motion to Vary and all of the allegations of that motion are repeated herein as if recited at length;
3. The Joint Liquidators were appointed by the High Court of Antigua in a liquidation proceeding commenced in that jurisdiction in respect of SIB (the **Antiguan Liquidation Proceeding**);
4. Their powers and duties are derived from the *International Business Corporations Act* and the liquidation order dated May 12, 2011 (the **New Liquidation Order**) replacing the order appointing the first liquidators, which is filed in support of this Declaration as **Exhibit D-1**. A copy of the Joint Liquidators' two reports dated August 12, 2011, and February 10, 2012, prepared for the High Court of Antigua (Motion for Directions) are also filed *en liasse* in support of this Declaration as **Exhibit D-2**;
5. On July 30, 2012, the U.S. District Court for the Northern District of Texas granted foreign non-main recognition to the Joint Liquidators under Chapter 15 of the U.S. Bankruptcy Code, subject to certain conditions. The Joint Liquidators have not availed and will not avail themselves of the conditional relief offered by the U.S. Court and are appealing the ruling *in toto*;

B. THE US RECEIVER'S MOTION

6. On July 27, 2012, the U.S. Receiver and Interim Receiver for SIB filed a *Motion for Directions and to Authorize Petitioners to Enter into a Settlement* (**Motion for Directions**) seeking the approval of an agreement they have entered into with the Attorney General of Ontario (**AGO**) to settle the civil forfeiture proceeding commenced by the Attorney General of Ontario under the *Ontario Civil Remedies Act, 2001* (the **Ontario Forfeiture Application**). A copy of that agreement, entitled **Minutes of Settlement**, has been filed as Exhibit R-1 attached to the Motion for Directions of the U.S. Receiver;
7. The Ontario Forfeiture Application and Minutes of Settlement concern an amount of approximately \$23.5 million¹ previously held by SIB and Stanford Group Company (**SGC**) in accounts with The Toronto-Dominion Bank (the **Ontario Funds**);

¹ \$23.5 million is the estimated value (in Canadian dollars) of the funds paid into the Ontario Superior Court as at March 11, 2010, as reported by the Interim Receiver in its report to the Quebec Superior Court in this proceeding dated March 12, 2010 (Proceeding # 79 in this court record).

8. Through their Motion for Directions, the US Receiver and Interim Receiver seek the approval of the Minutes of Settlement in which they give their consent to the Ontario Forfeiture Application;
9. They therefore seek the authorization to transfer the Ontario Funds to the United States Department of Justice, Criminal Division (**US DOJ**) to be held in its asset forfeiture fund (**US DOJ Asset Forfeiture Fund**) until they are remitted to the US Receiver or distributed to SIB's victims by the US DOJ;

C. GROUNDS FOR THE INTERVENTION

10. It is a duty of the Joint Liquidators imposed upon them by the High Court of Antigua to seek authorization to intervene in the present proceedings. The New Liquidation Order, Exhibit D-1, sets out the powers and duties of the Joint Liquidators with regard to the assets of SIB:

TAKING POSSESSION OF ASSETS OF S.I.B.

[...]

3. The liquidators shall take possession of, gather in and realise all the present and future assets and property of the Bank, including with limitation, any real and personal property, cash, choses-in-action, negotiable instruments, security granted or assigned to the Bank by third parties including property held in trust or for the benefit of the Bank, and rights, tangible or intangible, wheresoever situate and to take such steps as are necessary or appropriate to verify the existence and location of all the assets of the Bank, or any assets formerly held by, whether directly or indirectly, or to the order of, or for the benefit of, the Bank or any present or former subsidiary or company associated with, or owned by, the Bank. The aforementioned assets and property shall include the terms of all agreements or other arrangements relating thereto, whether written or oral, the existence or assertion of any lien, charge, encumbrance or security interest thereon, and any other matters which in the opinion of the Liquidators may affect the extent, value, existence, preservation, and liquidation of the assets and property of the Bank. The title to all assets of S.I.B. shall vest in the New Officeholders as successors to and in substitution for the Outgoing Officeholders. For greater certainty, such vesting in the New Officeholders shall be deemed to have effect as of the date of the original appointment of the Outgoing Officeholders of 15th April 2009.

[...]

REQUEST FOR JUDICIAL ASSISTANCE ABROAD – UNCITRAL DECLARATIONS

6. The purpose of this clause 6 is to set out a specific request for judicial assistance to all foreign Courts where assets of Papers of S.I.B. may be found or where the Liquidators seek any form of judicial assistance. This request is made pursuant to the notions of curial deference, comity and mutual respect which endures between all Courts. This Court requests, to the extent that such recognition has not already

occurred, that this proceeding be recognised as a foreign main proceeding taking place in Antigua where S.I.B. has the centre of its main interests as that term is defined in Article 2 (b) of the UNCITRAL Model Law on Cross-Border Insolvency with Guide to Enactment; and in fulfilment of the requirement for recognition as a foreign main proceeding in Article 17 subsection 2 (a) of the UNCITRAL Model Law on Cross-Border Insolvency with Guide to Enactment. The place of incorporation and domicile of S.I.B. is Antigua. The place of the head office and "nerve centre" of S.I.B. is also Antigua. This Court declares that this is a collective judicial proceeding in which the assets and affairs of the debtor are subject to the control or supervision by this Court of Antigua and Barbuda for the purpose of the liquidation of the assets of S.I.B. pursuant to Article 2 (a) of the UNCITRAL Model Law on Cross-Border Insolvency with Guide to Enactment.

[...]

8. This Court declares that this is a collective insolvency proceeding intended to marshal in and recover all assets and value owned by, or owed to, the Bank wheresoever in the world such assets or value may be located or realised upon. All creditors, depositors and investors in the Bank shall have the right to seek to prove in the estate of the Bank no matter where such parties are resident or located in the world. This Court finds that the Bank is insolvent and declares these proceedings to be in respect of an insolvent liquidation of the Bank.

[...]

REQUEST

29. This Honourable Court requests the aid, assistance and recognition of any foreign Court, tribunal, governmental body or other judicial authority howsoever styled or constituted, in any other jurisdiction where property, assets or Papers of the Bank may be found (or traced to), to assist in carrying out the terms of this Order and the duties and responsibilities of the Liquidators hereunder and to act in aid of, and to be complementary to, this Court in carrying out the terms of this Order.

11. As set out above, para 3 of the New Liquidation Order vested title to all assets of SIB in the Joint Liquidators and deemed such vesting to have effect as of April 15, 2009, the date on which the High Court of Antigua appointed their predecessors as joint liquidators;
12. Following their appointment, the Joint Liquidators commenced an investigation into, *inter alia*, the affairs of SIB including the status of SIB's assets and property located in various jurisdictions around the world;
13. In a report dated March 12, 2010 (docket numbers 79 and 80), Exhibit D-2, the Interim Receiver confirmed to this Court that the primary assets of the Stanford entities in Canada are the Ontario Funds, which are now subject to a Preservation Order made by the Ontario Superior Court in the Ontario Forfeiture Application;

14. As indicated above, the US Receiver and Interim Receiver seek the authorization to transfer the Ontario Funds to the US DOJ to be held in the US DOJ Asset Forfeiture Fund, who in turn undertakes to remit these funds to the US Receiver if the US courts authorise such transfer;
15. The Motion for Directions more particularly alleges at para 219(vii) that the Distribution Agreement entered into between the US Receiver and the US DOJ (Exhibit R-13) provides that if for any reason the US Court does not approve the US Receiver's proposed distribution plan, the US DOJ will implement its own distribution of the Canadian Funds to victims on a *pro rata* basis;
16. Furthermore, according to paras 199 to 202 of the Motion for Directions, the Minutes of Settlement contemplate that some of SIB's creditors will be recognized as a "legitimate owner" of sums which were transferred to the TD accounts on or after February 16, 2009;
17. At para 173 of their Motion for Directions, the U.S. Receiver and the Interim Receiver also propose that US\$2,266,943.11 and CA\$117,956.04 be left to the credit of the Ontario Forfeiture Application;
18. Furthermore, the US Receiver and Interim Receiver have filed in support of their Motion for Directions, as Exhibit R-37, a letter dated July 25, 2012 by the US DOJ to the AGO which amends the agreement they reached on May 13, 2011 (Exhibit R-37) as well);
19. The amendment at Exhibit R-37 purports to clarify the mechanism to be used by the US DOJ to deposit the Ontario Funds into the US Asset Forfeiture Fund;
20. According to the referenced amendment at Exhibit R-37, the US DOJ will initially deposit the Ontario Funds into the US DOJ's seized asset deposit fund, which is said to be the US DOJ's holding account for seized funds which have not yet been transferred to the US DOJ Asset Forfeiture Fund;
21. According to the same amendment, the Ontario Funds will only be transferred to the US DOJ Asset Forfeiture Fund for distribution to SIB's victims upon the occurrence of the earliest of: (1) the sentencing of SIB's former Chief Financial Officer, James M. Davis or, (2) Robert Allen Stanford exhausting the appeals in his criminal case, as appears from Exhibit R-37;
22. The Joint Liquidators will make submissions regarding the significant delays that might be caused as a consequence of the distribution to SIB's victims being contingent upon the sentencing of Mr. Davis as he has not been sentenced yet and there are significant reasons to believe that he will not be sentenced until the conclusion of all Stanford-related criminal actions in the U.S., which conclusion is not yet in sight;
23. It is respectfully submitted that the Court will benefit from representations that the Joint Liquidators may provide on this issue;

24. As for the other condition in Exhibit R-37, Mr. Stanford exhausting the appeals in his criminal case, the Joint Liquidators can provide statistics to the Court on the time it takes for appeals to be heard and resolved by the relevant Court of Appeals;
25. More generally, the Joint Liquidators are seeking to intervene in the current proceedings in order to make representations concerning the Motion for Directions, and notably regarding the proposal to leave US\$2,266,943.11 and CA\$117,956.04 to the credit of the Ontario Forfeiture Application, regarding the contemplated recognition by the US Receiver and the Interim Receiver that some of SIB's creditors are "legitimate owners" of sums which were transferred to the TD accounts on or after February 16, 2009, the suggestion that if for any reason the US Court does not approve the US Receiver's proposed distribution plan, the US DOJ will implement its own distribution of the Canadian Funds to victims on a *pro rata* basis and the proposal by the US DOJ concerning the mechanism to be used to deposit funds into its Asset Forfeiture Fund and the timing in this regard;
26. The Joint Liquidators will have representations to make with regard to these proposals in order to protect the interest of SIB's creditors and the Estate of SIB;
27. Without prejudice to the Joint Liquidators' Amended Motion to Vary, the Joint Liquidators seek standing as an intervener under the *Code of Civil Procedure* with regard to the Motion for Directions;
28. The Joint Liquidators submit that their intervention is justified by their duties, interest and status with regard to SIB's Estate and as officers of the High Court of Antigua and as such, they are clearly interested in the Motion for Directions;
29. The Court will benefit from the submissions of the Joint Liquidators since, by virtue of their status as liquidators appointed by the High Court of Antigua, they are uniquely placed to assist the Court in understanding the best interests of SIB's Estate and of its creditors;

D. CONCLUSIONS

30. The Joint Liquidators have a genuine interest in the current proceedings and should be allowed to intervene;
31. It is in the best interest of justice that the present Declaration in Intervention be granted and it is also in the best interests of SIB's creditors to authorize the Joint Liquidators to fulfill their duties and responsibilities in the context of the liquidation of SIB by intervening in the current proceedings with regard to the Motion for Directions filed by the U.S. Receiver;

WHEREFORE, MAY IT PLEASE THIS HONOURABLE COURT TO:

AUTHORIZE the intervention of the Joint Liquidators;

ORDER the Joint Liquidators, the U.S. Receiver, and the Interim Receiver to propose a timetable of procedural steps in respect of the latter's Motion for Directions and to Authorize Petitioners to Enter into a Settlement;

THE WHOLE without costs, except for contestation.

Montréal, August 17, 2012



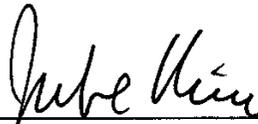
NORTON ROSE CANADA LLP
Attorneys for the Joint Liquidators

ATTESTATION OF AUTHENTICITY
(Article 82.1 C.C.P.)

I, the undersigned, JULIE HIMO, lawyer, of the firm Norton Rose Canada LLP, carrying on business at 1 Place Ville Marie, Suite 2500, in the City and District of Montréal, Province of Quebec, under my oath of office, declare:

1. On August 17, 2012, at 11h13 a.m., Montréal time, Norton Rose Canada LLP received by electronic mail the affidavit dated August 17th, 2012 of Marcus A. Wide;
2. The copy of the affidavit attached hereto is a true copy of the affidavit of Marcus A. Wide received by electronic mail from Marcus A. Wide, and whose electronic mail address is marcus.wide@uk.gt.com.

MONTREAL, August 17, 2012



Julie Himo
NORTON ROSE CANADA LLP
Attorneys for Petitioners and Co-petitioners

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL

No.: 500-11-036045-090

SUPERIOR COURT
(Commercial Division)
(Bankruptcy and Insolvency Act)

STANFORD INTERNATIONAL BANK LIMITED

Debtor

and
MARCUS A. WIDE & HUGH DICKSON

Joint Liquidators / Petitioners

and
ERIC COHEN & RICHARD WATSON

Co-petitioners

and
RAYMOND CHABOT INC.

Proposed Interim Receiver

and
RALPH S. JANVEY

U.S. Receiver

and
ERNST & YOUNG INC.

Interim Receiver

and
L'AUTORITÉ DES MARCHÉS FINANCIERS

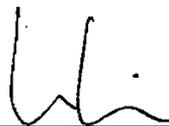
Mise en cause

AFFIDAVIT OF MARCUS A. WIDE

I, the undersigned, **Marcus A. Wide**, Managing Director of Grant Thornton (British Virgin Islands) Limited and exercising my profession at 171 Main Street, the Barracks, 2nd Floor, P.O. Box 4259, Road Town, Tortola, British Virgin Islands, do depose and solemnly affirm that:

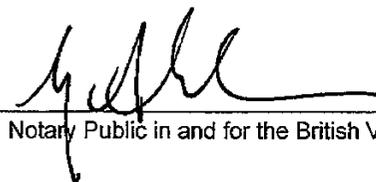
1. THAT I am one of the Petitioners in this matter and as such have full knowledge of all of the facts alleged in the attached Declaration for Intervention and present Affidavit;

2. All the facts alleged in the attached Declaration for Intervention and present Affidavit are true.

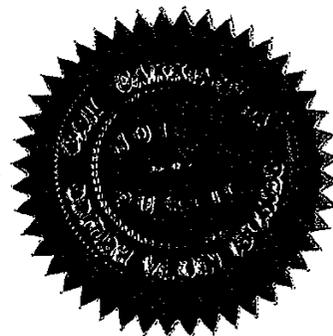


MARCUS A. WIDE

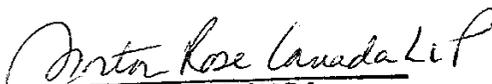
Sworn before me at Road Town, Tortola, in the Territory of the British Virgin Islands this 17th day of August, 2012



Notary Public in and for the British Virgin Islands



TRUE COPY


NORTON ROSE CANADA LLP

NOTICE OF PRESENTATION

TO: Mtre. Martin Desrosiers and Mtre. Nicolas Nadeau-Ouellet
OSLER, HOSKIN & HARCOURT, LLP
1000 de la Gauchetière Street West
Montréal, QC H3B 4W5
Email : nnadeauouellet@osler.com

Attorneys for the U.S. Receiver and Interim Receiver

Mtre Stéphanie Jolin
L'Autorité des marchés financiers
800 Square Victoria
Tour de la Bourse – 22nd Floor
Montréal, QC H4Z 1G3
Email: Stephanie.jolin@lautorite.qc.ca

Attorneys for the AMF

TAKE NOTICE that the attached motion will be presented for adjudication before the Honourable Justice Auclair, in the Commercial Division of the Superior Court of the Montreal Court House, located at 1 Notre-Dame Street East, on **August 27, 2012 at 9:00 a.m., in room 16.12.**

DO GOVERN YOURSELVES ACCORDINGLY.

Montréal, August 17, 2012



NORTON ROSE CANADA LLP
Attorneys for the Joint Liquidators

CANADA

SUPERIOR COURT
(Commercial Division)

PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

NO: 500-11-036045-090

STANFORD INTERNATIONAL BANK LIMITED

Debtor

and

MARCUS A. WIDE et al

Joint Liquidators / Petitioners

ERIC COHEN et al

Co-petitioners

RAYMOND CHABOT INC.

Proposed Interim Receiver

and

RALPH S. JANVEY

U.S. Receiver

and

ERNST & YOUNG INC.

Interim Receiver

and

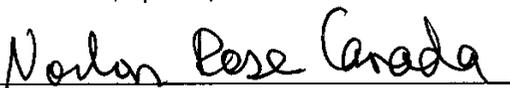
L'AUTORITÉ DES MARCHÉS FINANCIERS

Mise en cause

NOTICE OF DISCLOSURE OF EXHIBITS

EXHIBIT D-1	Liquidation order dated May 12, 2011 replacing the order appointing the first liquidators (the New Liquidation Order);
EXHIBIT D-2	Joint Liquidators' two reports dated August 12, 2011, and February 10, 2012, prepared for the High Court of Antigua;

MONTREAL, April 17, 2012



NORTON ROSE CANADA LLP

Attorneys for Petitioners

NO: 500-11-036045-090
SUPERIOR COURT (Commercial Division) (Bankruptcy and Insolvency Act) DISTRICT OF MONTREAL
STANFORD INTERNATIONAL BANK LIMITED Debtor
-and- MARCUS A. WIDE ET AL Joint Liquidators
-and- ERIC COHEN ET AL Co-petitioners
-and- RAYMOND CHABOT INC. Proposed Interim Receiver
-and- RALPH S. JANVEY U.S. Receiver
-and- ERNST & YOUNG INC. Interim Receiver
-and- L'AUTORITÉ DES MARCHÉS FINANCIERS Mise en cause
DECLARATION IN INTERVENTION/ AFFIDAVIT OF MARCUS WIDE
ORIGINAL
BO-0042 # 01022456-0001 Mre. Julie Himo/Mre. Azim Hussain NORTON ROSE CANADA LLP BARRISTERS & SOLICITORS 1 Place Ville Marie, Suite 2500 Montréal, Quebec H3B 1R1 CANADA Telephone: 514.847.6017 Fax: 514.286.5474 Julie.Himo@nortonrose.com

APPENDIX E

From: Plotkin, Robert [mailto:rplotkin@mcguirewoods.com]
Sent: Tuesday, March 26, 2013 11:17 AM Central Standard Time
To: Janvey, Ralph; Sadler, Kevin; Arlington, David; 'reeced@sec.gov' <reeced@sec.gov>; 'gene.patton@usdoj.gov' <gene.patton@usdoj.gov>; 'jlittle@lpf-law.com' <jlittle@lpf-law.com>; 'morgenstern@butzel.com' <morgenstern@butzel.com>; 'edavis@astidavis.com' <edavis@astidavis.com>
Subject: Notice of Reservation of Rights, Proposed Stanford Settlement Agreement

Dear Counsel:

On behalf The Toronto-Dominion Bank (“TD”), we are writing with regard to the proposed Settlement Agreement and Cross Border Protocol (the “Agreement”). As the Agreement involves litigation currently pending against TD in both the United States and Canada, we wanted to notify you of TD’s position.

TD does not intend to file objections because its concerns at this stage are premature given the current posture of the various litigations. However, TD’s non-objection should not be deemed a waiver of any of TD’s rights in connection with the litigations. TD hereby reserves its rights in connection with any of the litigations. This includes, but is not limited to: (a) any attempt to share or use evidence obtained in Canada for any purpose other than the proceeding from which it was obtained and/or to oppose any related motion before the courts in Canada; (b) any attempt to share material discovered in the U.S. in Canada; and (c) any attempt to obtain a double recovery against TD for the same alleged injury.

We simply wanted to notify you about TD’s concerns and protect its rights in the subsequent litigations. However, if you believe that this notice should be brought to Judge Godbey’s attention, feel free to do so, with proper service on TD.

Yours truly,

Robert Plotkin

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212. 548. 7098 (Direct Line)
212. 548.2150 (Direct Fax)

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others.