

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

---

SECURITIES AND EXCHANGE	§	
COMMISSION,	§	
	§	
Plaintiff,	§	No. 3:09-CV-00298-N
	§	
v.	§	
	§	
STANFORD INTERNATIONAL	§	
BANK, Ltd., et al.,	§	
	§	
Defendants.	§	

GOVERNMENT'S APPLICATION  
FOR STAY OF DISCOVERY IN THE INSTANT PROCEEDINGS

The United States of America, by and through the United States Department of Justice (“United States”), hereby applies for a stay of discovery in the instant proceeding pending resolution of a parallel criminal prosecution within the Southern District of Texas against many of the same defendants. This Application does not seek to stay or otherwise restrict other aspects of this civil proceeding, including but not limited to the work and function of the Court appointed Receivership.

The United States files this application to avoid prejudice to a parallel criminal securities fraud prosecution in the Southern District of Texas that shares common allegations, facts, and witnesses with this civil securities enforcement action. The parallel criminal case is styled and numbered *United States of America v. Robert Allen Stanford, et al.*, No. H-09-342. As set forth in the accompanying Memorandum in Support of Application for Stay of Proceedings, the relief

sought by this Application is consistent with governing case law, which states that courts may exercise their authority to grant stays in deference to the pendency of a related criminal prosecution.

Accordingly, the United States respectfully applies to the Court for entry of an order staying discovery in this proceeding pending resolution of the parallel criminal prosecution involving the same facts, circumstances and many of the same defendants as this case.

Respectfully submitted,

STEVEN A. TYRRELL  
Chief  
Fraud Section, Criminal Division  
U.S. Department of Justice

By: /s/ Paul E. Pelletier  
PAUL E. PELLETIER  
Principal Deputy Chief  
Fraud Section, Criminal Division  
U.S. Department of Justice  
1400 New York Avenue, NW  
Washington, DC 20005  
(O) 202-353-7693  
(F) 202-514-0152  
[Paul.Pelletier@usdoj.gov](mailto:Paul.Pelletier@usdoj.gov)

/s/ Jack B. Patrick  
JACK B. PATRICK  
Senior Litigation Counsel  
Fraud Section, Criminal Division  
U.S. Department of Justice  
1400 New York Avenue, NW  
Washington, DC 20005  
(O) 202-514-9842  
(F) 202-514-0152  
[Jack.Patrick2@usdoj.gov](mailto:Jack.Patrick2@usdoj.gov)

/s/ Matthew Klecka  
MATTHEW KLECKA  
Trial Attorney  
Fraud Section, Criminal Division  
U.S. Department of Justice  
1400 New York Avenue, NW  
Washington, DC 20005  
(O) 202-307-1309  
(F) 202-514-0152  
Matthew.Klecka@usdoj.gov

Certificate of Conference

I HEREBY CERTIFY that the United States has conferred with the SEC and counsel of record for the SEC who does not oppose intervention or a stay of discovery in this matter. The United States has conferred with counsel of record for Receiver Ralph S. Janvey who indicated that he does not oppose intervention or a stay of discovery in this matter. The United States has conferred with counsel of record for defendant James Davis who indicated that he does not oppose intervention or a stay of discovery in this matter. The United States has conferred with counsel of record for defendant Laura Pendergest-Holt who indicated that his client opposes the relief sought by the United States. The United States has contacted counsel of record for defendants Stanford International Bank, Ltd., Stanford Group Company, Stanford Capital Management LLC and R. Allen Stanford, and, as of the time of this filing, has not been able to ascertain their position.

/s/ Jack B. Patrick

Certificate of Service

I HEREBY CERTIFY that a copy of the United States' Application for Stay of Discovery and the Supporting Brief have been furnished to Counsel of Record by filing on ECF on July 17, 2009.

/s/ Jack B. Patrick

