

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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

STANFORD INTERNATIONAL BANK,  
LTD., ET AL.,

Defendants.

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Case No. 3:09-CV-0298-N

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**RECEIVER’S AND EXAMINER’S SIXTH JOINT ADVISORY  
TO THE COURT REGARDING PENDING MOTIONS**

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Receiver Ralph S. Janvey (the “Receiver”) and Examiner John J. Little (the “Examiner”) hereby respectfully advise the Court that the following motions, pending in cases filed by the Receiver or the Official Stanford Investors Committee (“OSIC”), are now fully briefed and are awaiting ruling by the Court. For the Court’s convenience, the Receiver and Examiner have further set forth their understanding of which matters are pending in the District Court and which matters have been referred to Magistrate Judge Koenig.<sup>1</sup> The Receiver and Examiner will continue to provide the Court with periodic updates to this advisory in fulfillment of their respective duties to keep the Court and investors informed regarding matters pertinent to this civil action.

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<sup>1</sup> This advisory does not include those motions that have been fully briefed in cases stayed by agreement. The Receiver and OSIC will add those motions to future advisories if and when the relevant stays are lifted.

**Motions for Summary Judgment****Motions for Summary Judgment Pending in District Court**

	<b><u>Date Filed</u></b>	<b><u>Case No.</u></b>	<b><u>Case Name</u></b>	<b><u>Doc. No.</u></b>	<b><u>Motion</u></b>
1.	February 10, 2012	3:10-cv-1973	<i>Janvey v. Dillon Gage Inc. of Dallas et al.</i>	26	Receiver's Motion for Summary Judgment Against Dillon Gage

**Motions to Dismiss****Motions to Dismiss Receiver's or OSIC's Complaint Pending in District Court**

	<b><u>Date Filed</u></b>	<b><u>Case No.</u></b>	<b><u>Case Name</u></b>	<b><u>Doc. No.</u></b>	<b><u>Motion</u></b>
2.	May 26, 2010	3:09-cv-2384	<i>Rotstain et al. v. Trustmark National Bank et al.</i>	28	HSBC's Motion to Dismiss for Lack of Personal Jurisdiction and Failure to State a Claim <sup>2</sup>
3.	May 26, 2010	3:09-cv-2384	<i>Rotstain et al. v. Trustmark National Bank et al.</i>	31	Toronto-Dominion Bank's Motion to Dismiss
4.	May 26, 2010	3:09-cv-2384	<i>Rotstain et al. v. Trustmark National Bank et al.</i>	36	Trustmark National Bank's Motion to Dismiss
5.	May 27, 2010	3:09-cv-2384	<i>Rotstain et al. v. Trustmark National Bank et al.</i>	39	Bank of Houston's Motion to Dismiss
6.	July 10, 2013	3:09-cv-2384	<i>Rotstain et al. v. Trustmark National Bank et al.</i>	154	Bank of Houston's Motion to Dismiss the Intervenor Complaint
7.	July 10, 2013	3:09-cv-2384	<i>Rotstain et al. v. Trustmark National Bank et al.</i>	159	Toronto-Dominion Bank's Motion to Dismiss the Intervenor Complaint

<sup>2</sup> The Court denied the personal jurisdiction component of HSBC's Motion to Dismiss on June 5, 2014. [Doc. 194.]

8.	July 10, 2013	3:09-cv-2384	<i>Rotstain et al. v. Trustmark National Bank et al.</i>	162	Trustmark National Bank's Motion to Dismiss the Intervenor Complaint
9.	May 5, 2013	3:13-cv-0775	<i>Janvey v. Amadio et al.</i>	10	Defendant Osvaldo Pi's Motion to Dismiss Receiver's Complaint
10.	June 25, 2013	3:13-cv-0775	<i>Janvey v. Amadio et al.</i>	28	Defendant Glen Rigby's Motion to Dismiss Receiver's Complaint
11.	May 6, 2013	3:14-cv-3559	<i>Janvey v. Staley</i>	4 (originally filed as Doc. 15 in 3:13-cv-0775)	Defendant Jack Staley's Motion to Dismiss Receiver's Complaint
12.	June 7, 2013	3:14-cv-3560	<i>Janvey v. Amadio et al.</i>	7 (originally filed as Doc. 21 in 3:13-cv-0775)	Defendant Luis Garcia's Motion to Dismiss Receiver's Complaint
13.	June 14, 2013	3:14-cv-3213	<i>Janvey v. Hamm</i>	25	Defendant Suzanne Hamm's Motion to Dismiss Receiver's Complaint
14.	August 22, 2013	3:09-cv-0724	<i>Janvey v. Alguire et al.</i>	1136 (originally filed as Doc. 36 in 3:13-cv-0775)	Defendant David Nanes's Motion to Dismiss Receiver's Complaint
15.	July 21, 2011	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse &amp; Wilson LLP et al.</i>	22	Adams and Reese LLP and James Austin's Motion to Dismiss Plaintiffs' First Amended Complaint

16.	July 21, 2011	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse &amp; Wilson LLP et al.</i>	24	Michael Contorno's Motion to Dismiss Plaintiffs' First Amended Class Action Complaint
17.	September 30, 2011	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse &amp; Wilson LLP et al.</i>	39	Motion to Dismiss Plaintiffs' Complaint, Filed by Defendant Louis Fournet
18.	June 26, 2012	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse &amp; Wilson LLP et al.</i>	68	Breazeale, Sachse & Wilson LLP's Motion to Dismiss Plaintiffs' First Amended Complaint
19.	June 29, 2012	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse &amp; Wilson LLP et al.</i>	71	Claude Reynaud's Motion to Dismiss Plaintiffs' First Amended Complaint
20.	July 29, 2011	3:11-cv-0298	<i>The Official Stanford Investors Committee v. Cort &amp; Cort et al.</i>	11	Cort & Cort's Motion to Dismiss for Lack of Personal Jurisdiction
21.	December 3, 2012	3:11-cv-0299	<i>Janvey et al. v. Castaneda</i>	22	Defendant's Motion to Dismiss the Complaint <sup>3</sup>
22.	January 3, 2013	3:11-cv-1177	<i>Janvey v. Libyan Investment Authority et al.</i>	136	Defendants' Motion to Dismiss the Second Amended Complaint
23.	February 21, 2013	3:12-cv-4641	<i>Janvey v. Greenberg Traurig, LLP et al.</i>	27	Greenberg Traurig's Motion for Partial Dismissal and, Subject Thereto, Original Answer
24.	April 15, 2013	3:12-cv-4641	<i>Janvey v. Greenberg Traurig, LLP et al.</i>	49	Defendant Hunton and Williams, LLP's Motion to Dismiss

<sup>3</sup> On September 12, 2014 Magistrate Judge Koenig issued a Report and Recommendation recommending that Castaneda's motion to dismiss be denied. [Doc. 48.] Castaneda filed an objection on September 26, 2014. [Doc. 49.]

25.	May 10, 2013	3:12-cv-4641	<i>Janvey v. Greenberg Traurig, LLP et al.</i>	56	Defendant Yolanda Suarez's Motion to Dismiss
26.	April 18, 2014	3:12-cv-4641	<i>Janvey v. Greenberg Traurig, LLP et al.</i>	90	Hunton & Williams' Motion to Dismiss Claims Asserted by the Putative Class and its Representatives
27.	July 29, 2013	3:11-cv-1659	<i>Janvey et al. v. Rincon</i>	17	Defendant Juan Alberto Rincon's Motion to Dismiss
28.	February 28, 2014	3:13-cv-3980	<i>OSIC et al. v. Willis of Colorado, Inc. et al.</i>	19	Willis's Motion to Dismiss Plaintiffs' First Amended Complaint
29.	February 28, 2014	3:13-cv-3980	<i>OSIC et al. v. Willis of Colorado, Inc. et al.</i>	25	Amy Baranoucky's Motion to Dismiss
30.	February 28, 2014	3:13-cv-3980	<i>OSIC et al. v. Willis of Colorado, Inc. et al.</i>	30	Bowen's Motion to Dismiss Plaintiffs' First Amended Complaint
31.	February 28, 2014	3:13-cv-3980	<i>OSIC et al. v. Willis of Colorado, Inc. et al.</i>	32	Winter's Motion to Dismiss Plaintiffs' First Amended Complaint
32.	July 22, 2014	3:14-cv-1567	<i>Janvey v. Tiger Woods Foundation et al.</i>	17	Motion to Dismiss Second Amended Complaint
33.	August 26, 2014	3:14-cv-2826	<i>Janvey v. Maldonado</i>	10	Defendant Patricia Maldonado's Motion to Dismiss Receiver's Complaint
<b><u>Motions to Dismiss Class Action Cases Pending in District Court</u></b>					
34.	December 11, 2009	3:09-cv-1600	<i>Troice v. Proskauer Rose, LLP et al.</i>	29	Chadbourne & Park's Motion to Dismiss
35.	December 11, 2009	3:09-cv-1600	<i>Troice v. Proskauer Rose, LLP et al.</i>	31	Proskauer Rose's Motion to Dismiss
36.	December 11, 2009	3:09-cv-1600	<i>Troice v. Proskauer Rose, LLP et al.</i>	36	Sjoblom's Motion to Dismiss

37.	December 1, 2010	3:10-cv-0304	<i>Queyrouze, et al. v. Bank of Antigua, et al.</i>	6	Motion to Dismiss based on Foreign Sovereign Immunity and for Failure to State a Claim filed by Commonwealth of Antigua and Barbuda
38.	December 13, 2010	3:09-cv-2165	<i>Frank v. The Commonwealth of Antigua and Barbuda</i>	43	Motion to Dismiss Based on Foreign Sovereign Immunity and for Failure to State a Claim filed by The Commonwealth of Antigua and Barbuda
39.	May 2, 2011	3:09-cv-1274	<i>Troice v. Willis of Colorado, Inc.</i>	123	Willis's Motion to Dismiss Plaintiffs' Third Amended Class Action Complaint
40.	May 2, 2011	3:09-cv-1274	<i>Troice v. Willis of Colorado, Inc.</i>	124	Winter's Motion to Join BMB's Motion to Dismiss Plaintiffs' Third Amended Class Action Complaint and Motion to Stay
41.	May 2, 2011	3:09-cv-1274	<i>Troice v. Willis of Colorado, Inc.</i>	127	BMB's Motion to Dismiss Plaintiffs' Third Amended Class Action Complaint
42.	August 2, 2012	3:09-cv-2199	<i>Turk v. Pershing LLC</i>	84	Motion to Dismiss Plaintiffs' Amended Consolidated Complaint
<b><u>Pending Motions to Dismiss Receiver's or OSIC's Complaint</u></b> <b><u>Referred to Magistrate Judge Koenig</u></b>					
43.	September 3, 2010	3:10-cv-0829	<i>Janvey v. Interim Executive Management, Inc.</i>	9	Defendant's Motion to Dismiss Receiver's Original Complaint Pursuant to Rules 8, 9(b), and 12(b)(6) of the Federal Rules of Civil Procedure
44.	April 21, 2011	3:11-cv-0303	<i>The Official Stanford Investors Committee v. American Lebanese Syrian Associated Charities, Inc. et al.</i>	12	Defendants St. Jude's Children's Research Hospital, Inc.'s and American Lebanese Syrian Associated Charities, Inc.'s Motion to Dismiss

45.	June 3, 2011	3:11-cv-0303	<i>The Official Stanford Investors Committee v. American Lebanese Syrian Associated Charities, Inc. et al.</i>	22	Defendant Le Bonheur Children's Medical Center Foundation's Motion to Dismiss
46.	May 2, 2011	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	128	Defendants Dale Wilson and Judy Ann Wilson's Defenses, Motions to Dismiss, and Answer
47.	August 21, 2012	3:10-cv-2584	<i>Janvey v. Alvarado</i>	30	Defendant Pablo M. Alvarado's Motion to Dismiss Receiver's Complaint
48.	January 27, 2014	3:13-cv-0760	<i>OSIC v. Antigua and Barbuda</i>	11	Antigua and Barbuda's Motion to Dismiss for Lack of Jurisdiction
49.	March 26, 2014	3:13-cv-0762	<i>OSIC v. Bank of Antigua et al.</i>	18	Antigua and Barbuda's Motion to Dismiss for Lack of Jurisdiction and Failure to State a Claim

**Other Motions**

**Other Motions Pending in District Court**

	<b><u>Date Filed</u></b>	<b><u>Case No.</u></b>	<b><u>Case Name</u></b>	<b><u>Doc. No.</u></b>	<b><u>Motion</u></b>
50.	March 9, 2011	3:10-cv-1973	<i>Janvey v. Dillon Gage Inc. of Dallas et al.</i>	14	Receiver's Motion to Strike and to Dismiss Third-Party Claims and Counterclaims filed by Dillon Gage, Inc. of Dallas
51.	May 10, 2012	3:09-cv-0298	<i>SEC v. SIB, et al.</i>	1592	Beverly DeLoach's Motion to Permit FINRA Arbitration Claim Number 09-00998 to Proceed Against Certain Named Individuals

52.	October 4, 2013	3:09-cv-0298	<i>SEC v. SIB, et al.</i>	1923	Motion for Decision and Objection to Amended Notice of Claim Determination Regarding Response Filed by ATP Tour, Inc.
53.	April 24, 2014	3:09-cv-0298	<i>SEC v. SIB, et al.</i>	2002	Robert Allen Stanford's Action in Equity and Motion to Vacate Order on Motion for Summary Judgment
54.	July 31, 2014	3:09-cv-0298	<i>SEC v. SIB, et al.</i>	2057	R. Allen Stanford's Emergency Motion to Amend Section (2) of Pending Rule 60(b)(1)-(5) Motion
55.	April 15, 2013	3:12-cv-4641	<i>Janvey v. Greenberg Traurig, LLP et al.</i>	51	Hunton & Williams, LLP's Motion to Join the Antiguan Liquidators or, in the Alternative, to Dismiss
56.	May 10, 2013	3:12-cv-4641	<i>Janvey v. Greenberg Traurig, LLP et al.</i>	55	Yolanda Suarez's Motion to Join the Antiguan Liquidators or, in the Alternative, to Dismiss
57.	July 26, 2013	3:13-cv-0477	<i>Janvey v. Proskauer Rose, LLP et al.</i>	33	Joint Motion to Substitute Counsel
58.	July 21, 2014	3:13-cv-0775	<i>Janvey v. Amadio et al.</i>	117	Receiver's Motion to Sever Claims Against Daniel Bogar, Osvaldo Pi, and Bernerd Young
59.	September 16, 2014	3:13-cv-0775	<i>Janvey v. Amadio et al.</i>	163	Receiver's Motion for Leave to File Amended Complaint
60.	December 12, 2013	3:12-cv-0495	<i>Janvey v. Adams &amp; Reese, et al.</i>	69	Plaintiff's Motion for Substitution of Party
61.	December 16, 2013	3:12-cv-0495	<i>Janvey v. Adams &amp; Reese, et al.</i>	71	Defendant Cordell Haymon's Motion for Leave to Designate Responsible Third Parties

62.	January 2, 2014	3:12-cv-0495	<i>Janvey v. Adams &amp; Reese, et al.</i>	73	Frazer's Motion to Quash for Insufficient Service of Process and Service of Process of Plaintiffs' Motion for Substitution of Party and, Subject Thereto, Response in Opposition to Plaintiff's Motion for Substitution
63.	February 6, 2014	3:12-cv-0495	<i>Janvey v. Adams &amp; Reese, et al.</i>	82	Breazale, Sasche, & Wilson, LLP's Motion to Join, in Part, Defendant Cordell Haymon's Motion for Leave to Designate Responsible Third Parties
64.	February 7, 2014	3:12-cv-0495	<i>Janvey v. Adams &amp; Reese, et al.</i>	84	Reynaud's Motion to Join, in Part, Defendant Cordell Haymon's Motion for Leave to Designate Responsible Third Parties
65.	April 17, 2014	3:09-cv-0559	<i>Pre-War Art v. Stanford Coins &amp; Bullion et al.</i>	255	Defendants' Joint Motion for Entry of Final Judgment
66.	August 26, 2014	3:09-cv-2151	<i>Janvey v. Reeves-Stanford</i>	52	Plaintiffs' Motion to Lift Stay
67.	August 29, 2014	3:10-cv-0528	<i>Janvey v. Westmoreland</i>	90	Receiver's and Westmoreland Defendants' Motion to Stay
<b><u>Other Motions in Class Action Cases Pending in District Court</u></b>					
68.	March 25, 2014	3:09-cv-2199	<i>Turk v. Pershing LLC</i>	100	Plaintiffs' Motion to Defer Rulings on Motion to Dismiss
<b><u>Other Pending Motions Referred to Magistrate Judge Koenig</u></b>					
	<b><u>Date Filed</u></b>	<b><u>Case No.</u></b>	<b><u>Case Name</u></b>	<b><u>Doc. No.</u></b>	<b><u>Motion</u></b>
69.	February 28, 2011	3:09-cv-0724	<i>Janvey v. Alguire et al.</i>	559	Receiver's Motion to Strike and to Dismiss Former Employees' Counterclaim to Receiver's Second Amended Complaint

70.	July 2, 2012	3:09-cv-0724	<i>Janvey v. Alguire et al.</i>	825	Receiver's Motion to Strike and to Dismiss Counter-Claim of Defendant Robert J. Bruno to Receiver's Second Amended Complaint
71.	September 4, 2012	3:09-cv-0724	<i>Janvey v. Alguire et al.</i>	852	Receiver's Motion to Strike and Dismiss Counterclaim to Receiver's Second Amended Complaint
72.	August 13, 2014	3:09-cv-0724	<i>Janvey v. Alguire et al.</i>	1106	Motion to Proceed without Local Counsel (Porter and Smiley)
73.	February 22, 2013	3:11-cv-1177	<i>Janvey v. Libyan Investment Authority et al.</i>	151	Defendants' Motion to Strike Declaration of James C. Spindler
74.	August 16, 2013	3:13-cv-0477	<i>Janvey et al. v. Proskauer Rose et al.</i>	37	Defendants' Cross-Motion to Compel Discovery
75.	April 9, 2014	3:13-cv-0762	<i>OSIC v. Bank of Antigua et al.</i>	20	Plaintiffs' Cross-Motion for Leave to Conduct Jurisdictional Discover of Defendant Eastern Caribbean Central Bank and to Extend Deadline to Respond to Motion to Dismiss Until Completion of that Discovery

Dated: October 6, 2014

Respectfully submitted,

**BAKER BOTTS L.L.P.**

By: /s/ Kevin M. Sadler

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**COURT-APPOINTED EXAMINER**

**CERTIFICATE OF SERVICE**

On October 6, 2014, 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