

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

SECURITIES AND EXCHANGE	§	
COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
STANFORD INTERNATIONAL BANK, LTD.,	§	Case No.: 3-09-CV-0298-N
STANFORD GROUP CO., STANFORD CAPITAL	§	
MANAGEMENT, LLC, R. ALLEN STANFORD,	§	
JAMES M. DAVIS, LAURA PENDERGEST-	§	
HOLT, GILBERTO LOPEZ, MARK KUHRT,	§	
and LEROY KING,	§	
	§	
Defendants,	§	
	§	
and	§	
	§	
STANFORD FINANCIAL GROUP CO. and	§	
THE STANFORD FINANCIAL GROUP	§	
BUILDING INC.,	§	
	§	
Relief Defendants.	§	
	§	

**DEFENDANT R. ALLEN STANFORD’S MOTION TO DISMISS
PLAINTIFF’S SECOND AMENDED COMPLAINT**

By and through his undersigned counsel, Defendant R. Allen Stanford hereby moves this Honorable Court to dismiss Plaintiff Securities and Exchange Commission’s Second Amended Complaint, Dkt. 952, for lack of jurisdiction under Federal Rule of Civil Procedure 12(b)(1), for improper venue under Rule 12(b)(3), for failure to state a claim under Rule 12(b)(6), and for failure to plead with particularity under Rule 9(b).

A memorandum of law in support of this motion is submitted herewith.

Dated: February 18, 2010

Respectfully submitted,

/s/ Shannon W. Conway

Shannon W. Conway (TX Bar No. 24052047)
Christina Guerola Sarchio (*pro hac application to
be submitted*)

PATTON BOGGS LLP
2000 McKinney Avenue, Suite 1700
Dallas, Texas 75201
Tel: (214) 758-1500
Fax: (214) 758-1550

Michael D. Sydow
Sydow & McDonald
4400 Post Oak Parkway, Suite 2360
Houston, Texas 77027
Tel: (713) 622-9700

Brewer Law Group, PLLC
1201 Connecticut Ave, NW, Ste. 500
Washington, DC 20036
Tel: (202) 683-3160

*Attorneys for Defendant Robert Allen
Stanford*

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent those indicated as non-registered participants on February 18, 2010.

 /s/ Shannon W. Conway

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Shannon W. Conway