

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

SECURITIES AND EXCHANGE
COMMISSION,
Plaintiff,

v.

STANFORD INTERNATIONAL
BANK, LTD., ET AL.,
Defendants.

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CIVIL NO. 3:09-CV-0298-N

OPPOSITION TO UNITED STATES' (IRS) NOTICE OF CLAIM

THE OFFICIAL STANFORD INVESTORS COMMITTEE respectfully files this Opposition to the Notice of Claim filed on behalf of the Internal Revenue Service (hereinafter referred to as "IRS") and in support thereof states as follows:

1. Although the IRS references Federal Tax Liens, it does not actually assert that any federal tax liens exist on assets of any of the Defendants, nor does it assert that any assessments have been made that might generate such liens.
2. In any event, there are no assets belonging to R. Allen Stanford or Susan Stanford before the Receiver.
3. In addition, assuming that tax liens existed with respect to assets owned by R. Allen Stanford, such liens could only reach his interest in such assets. Assets before the Receiver are assets that R. Allen Stanford obtained through fraud or theft; consequently, he has no legal interest in such assets. In fact, the Court acknowledged at a January 20, 2012 hearing that there is overwhelming evidence establishing that all assets in the Receivership estate were stolen from Stanford Investors. (Attached and incorporated herein as Exhibit "A" is a true and correct copy of the Hearing Transcript). In pertinent part, Judge Godbey stated:

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2 Having said that, on this record **the evidence is**
3 **simply overwhelming** that the Receiver does not have in the
4 Receivership estate even a nickel that wasn't effectively
5 stolen from the Stanford investors.

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23 However, I would also say, if I were ruling on a blank
24 slate of paper with the burden on the Receiver and the
25 Commission in this proceeding, given the evidentiary record

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1 that's there, I would reach still exactly the same result.
2 **The overwhelming evidence** in this proceeding is the
3 Receivership contains no funds that were not tainted by
4 the Ponzi scheme that on this record I think I'd have to
5 find exists.

Accordingly, any tax liens, if such existed, could not reach such assets.

4. Finally, assuming arguendo that assets of R. Allen Stanford were before the Receiver, and assuming that such assets are subject to a tax lien, the interest of the Receiver and other parties are prior in time and superior to such tax lien.

5. For the above reasons, the IRS notice of Claim should be rejected.

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/s/

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**ATTORNEYS FOR THE OFFICIAL
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CERTIFICATE OF SERVICE

On September 13, 2012, 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 will serve all relevant parties individually or through their counsel of record, electronically, or by other means authorized by the Court or the Federal Rules of Civil Procedure.

/s/

Edward F. Valdespino