

**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

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

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 Frost. The Receiver and Examiner anticipate providing 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.

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

	<u>Date Filed</u>	<u>Case No.</u>	<u>Case Name</u>	<u>Doc. No.</u>	<u>Motion</u>
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, Inc. of Dallas and Dillon Gage, Inc.
2.	February 28, 2013	3:11-cv-0294	<i>Janvey et al. v. The Golf Channel, Inc.</i>	33	Defendant TGC, LLC, d/b/a/ Golf Channel's Motion for Summary Judgment
3.	February 28, 2013	3:11-cv-0294	<i>Janvey et al. v. The Golf Channel, Inc.</i>	36	Plaintiffs' Motion for Summary Judgment

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

	<u>Date Filed</u>	<u>Case No.</u>	<u>Case Name</u>	<u>Doc. No.</u>	<u>Motion</u>
4.	July 21, 2011	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse & Wilson LLP et al.</i>	22	Adams and Reese LLP and James Austin's Motion to Dismiss Plaintiffs' First Amended Complaint
5.	July 21, 2011	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse & Wilson LLP et al.</i>	24	Michael Contoro's Motion to Dismiss Plaintiffs' First Amended Class Action Complaint
6.	September 30, 2011	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse & Wilson LLP et al.</i>	39	Motion to Dismiss Plaintiffs' Complaint, Filed by Defendant Louis Fournet

7.	June 26, 2012	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse & Wilson LLP et al.</i>	68	Breazeale, Sachse & Wilson LLP's Motion to Dismiss Plaintiffs' First Amended Complaint
8.	June 29, 2012	3:11-cv-0329	<i>The Official Stanford Investors Committee et al. v. Breazeale Sachse & Wilson LLP et al.</i>	71	Claude Reynaud's Motion to Dismiss Plaintiffs' First Amended Complaint
9.	June 26, 2012	3:12-cv-0495	<i>Janvey v Adams & Reese et al.</i>	26	Defendants Cordell Haymon and Tomas Frazer's Motion to Dismiss Plaintiff's First Amended Complaint on the Basis of Preemption and for Failure to State a Claim
10.	June 26, 2012	3:12-cv-0495	<i>Janvey v Adams & Reese et al.</i>	27	Adams & Reese, LLP, Robert Schmidt, and James Austin's Motion to Dismiss Plaintiffs' First Amended Complaint
11.	June 26, 2012	3:12-cv-0495	<i>Janvey v Adams & Reese et al.</i>	30	Breazeale, Sachse & Wilson, LLP's Motion to Dismiss Plaintiffs' First Amended Complaint, or, Alternatively, Motion for a More Definite Statement
12.	June 29, 2012	3:12-cv-0495	<i>Janvey v Adams & Reese et al.</i>	34	Claude F. Reynaud, Jr.'s Motion to Dismiss Plaintiffs' First Amended Complaint
13.	August 21, 2012	3:10-cv-2584	<i>Janvey v. Alvarado</i>	30	Defendant Pablo M. Alvarado's Motion to Dismiss Receiver's Complaint
14.	October 24, 2012	3:12-cv-0644	<i>Janvey et al. v. Proskauer Rose, LLP et al.</i>	49	Defendant Chadbourne & Parke LLP's Motion to Dismiss Plaintiffs' First Amended Complaint

15.	October 24, 2012	3:12-cv-0644	<i>Janvey et al. v. Proskauer Rose, LLP et al.</i>	50	Defendant Proskauer Rose LLP's Motion to Dismiss Plaintiffs' First Amended Complaint
16.	October 24, 2012	3:12-cv-0644	<i>Janvey et al. v. Proskauer Rose, LLP et al.</i>	53	Defendant Thomas V. Sjoblom's Motion to Dismiss Plaintiffs' First Amended Complaint
17.	November 27, 2012	3:10-cv-0527	<i>Janvey v. Barnes et al.</i>	49	Third-Party Defendants Capital Counsel, LLC, Cauthen Forbes & Williams, LLC, and Robert Mitchell Delk's Motion to Dismiss Restated Third-Party Complaint for Failure to State a Claim Pursuant to Fed. R. Civ. P. 12(b)(6)
18.	March 14, 2013	3:10-cv-0527	<i>Janvey v. Barnes et al.</i>	68	Third-Party Defendant Chesapeake Enterprises, Inc.'s Motion to Dismiss Restated Third-Party Complaint for Failure to State a Claim Pursuant to Fed. R. Civ. P. 12(b)(6)
19.	November 30, 2012	3:11-cv-0760	<i>Janvey v. Insideout Sports & Entertainment</i>	23	Motion to Dismiss Plaintiff's First Amended Complaint
20.	December 3, 2012	3:11-cv-0299	<i>Janvey et al. v. Castaneda</i>	22	Defendant's Motion to Dismiss the Complaint
21.	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
22.	March 21, 2013	3:13-cv-0775	<i>Janvey v. Pablo M. Alvarado et al.</i>	6	Defendant Pablo M. Alvarado's Motion to Dismiss Receiver's Complaint
23.	May 5, 2013	3:13-cv-0775	<i>Janvey v. Pablo M. Alvarado et al.</i>	10	Defendant Osvaldo Pi's Motion to Dismiss Receiver's Complaint
24.	May 6, 2013	3:13-cv-0775	<i>Janvey v. Pablo M. Alvarado et al.</i>	15	Defendant Jack Staley's Motion to Dismiss Receiver's Complaint

25.	June 7, 2013	3:13-cv-0775	<i>Janvey v. Pablo M. Alvarado et al.</i>	21	Defendant Luis Garcia's Motion to Dismiss Receiver's Complaint
26.	June 14, 2013	3:13-cv-0775	<i>Janvey v. Pablo M. Alvarado et al.</i>	25	Defendant Suzanne Hamm's Motion to Dismiss Receiver's Complaint
27.	May 10, 2013	3:12-cv-4641	<i>OSIC v. Greenberg Trauring, LLP et al.</i>	56	Defendant Yolanda Suarez's Motion to Dismiss
28.	May 22, 2013	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	359	Defendant Maria Quintero de Peralta's Motion to Dismiss Complaint Against Certain Stanford Investors
<u>Pending Motions to Dismiss Receiver's or OSIC's Complaint</u> <u>Referred to Magistrate Judge Frost</u>					
29.	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
30.	September 10, 2010	3:10-cv-1002	<i>Janvey v. Fernandez et al.</i>	32	Edward S. Rubin Estate and Robert Rubin's Motion to Dismiss Receiver's Complaint Against Certain Stanford Investors
31.	April 6, 2011	3:10-cv-1002	<i>Janvey v. Fernandez et al.</i>	57	Defendant R. Glen Sherrill, Jr.'s Motion to Dismiss
32.	May 27, 2011	3:10-cv-1002	<i>Janvey v. Fernandez et al.</i>	85	Sharon Jean Marable's Motion to Dismiss Receiver's Complaint Against Certain Stanford Investors
33.	June 9, 2011	3:10-cv-1002	<i>Janvey v. Fernandez et al.</i>	93	Ron F. Bearden's Motion to Dismiss Receiver's Complaint Against Certain Stanford Investors And, Subject Thereto, Original Answer and Denials

34.	June 9, 2011	3:10-cv-1002	<i>Janvey v. Fernandez et al.</i>	94	Sino US Catering Development Company, Ltd's Motion to Dismiss Receiver's Complaint Against Certain Stanford Investors
35.	September 24, 2010	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	60	Eduardo A. Najera and Jennifer M. Najera's Motion to Dismiss Receiver's Complaint Against Certain Stanford Investors
36.	December 7, 2010	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	75	Michael E. Staid's Motion to Dismiss Receiver's Complaint Against Certain Stanford Investors
37.	April 4, 2011	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	92	Omar Rodriguez Rosales' Motion to Dismiss and, In the Alternative, Motion for a More Definite Statement
38.	April 4, 2011	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	93	Motion to Dismiss by Defendants Donald J. Sherrill and Susan M. Sherrill
39.	April 13, 2011	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	104	Motion to Dismiss by Defendants Moore, Moore and Moore, LLC, Namada Investment Group L.P., and Sococo Ltda
40.	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
41.	May 9, 2011	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	130	Defendant Nathan Allen Moore's Motion to Dismiss
42.	February 3, 2011	3:10-cv-1394	<i>Janvey v. Wieselberg et al.</i>	14	Defendant Pedro Rodriguez's Motion to Dismiss
43.	February 16, 2011	3:10-cv-1394	<i>Janvey v. Wieselberg et al.</i>	15	Gene B. Ramirez's Motion to Dismiss (with Supporting Memorandum) Receiver's Complaint Against Certain Former Stanford Employees Who Invested in SIBL CDs

44.	March 7, 2011	3:10-cv-1394	<i>Janvey v. Wieselberg et al.</i>	23	Defendants Ronald Wieselberg, Monica A. Cespedes, Elsie H. Lecusay, and Ricardo Cobiella's Motion to Dismiss Receiver's Complaint Against Certain Former Stanford Employees who Invested in SIBL CDs Pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(6), and 9(b) and to Strike the Receiver's Claim for Attorney's Fees and Costs
45.	April 13, 2011	3:09-cv-0724	<i>Janvey v. Alguire et al.</i>	577	Luis Hermosa's Motion to Dismiss Under Fed Rule Civ Pro 12 (b)(4) and (5) and Joinder in Defendants' Motion to Dismiss Receiver's Second Amended Complaint Against Stanford Former Employees
46.	April 18, 2011	3:10-cv-0931	<i>Janvey v. Dokken et al.</i>	34	Defendants Tonya Dokken and Peder Christian Dokken's Motion to Dismiss
47.	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. Motion to Dismiss
48.	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 Motion to Dismiss
49.	April 25, 2011	3:10-cv-2583	<i>Janvey v. Bogar et al.</i>	13	Defendants Daniel T. Bogar and Brandilyn D. Bogar's Motion to Dismiss Plaintiffs' First Amended Complaint
50.	May 9, 2011	3:11-cv-0301	<i>Janvey et al. v. Brown</i>	8	Defendant's Second Motion to Dismiss

51.	May 17, 2011	3:11-cv-0018	<i>Janvey et al. v. Toms et al.</i>	9	Defendants David Wayne Toms and David Toms Golf, LLC's Motion to Dismiss
52.	June 6, 2011	3:11-cv-0158	<i>Janvey et al. v. Miami Heat Limited Partnership et al.</i>	18	Defendants Miami Heat Limited Partnership's and Basketball Properties Ltd.'s Motion to Dismiss Amended Complaint
53.	July 18, 2011	3:11-cv-0228	<i>Janvey, et al. v. PGA Tour Inc.</i>	13	Defendant PGA Tour, Inc.'s Motion to Dismiss Pursuant to Rules 12(b)(1) and 12(b)(6)
54.	September 28, 2011	3:11-cv-0770	<i>Janvey et al. v. Rocketball, Ltd. et al.</i>	11	Defendant Rocketball, Ltd's Motion to Dismiss Plaintiffs' Amended Complaint
55.	October 21, 2011	3:11-cv-0770	<i>Janvey et al. v. Rocketball, Ltd. et al.</i>	13	Defendant Hoops, L.P.'s Motion to Dismiss Plaintiffs' Amended Complaint
56.	November 4, 2011	3:11-cv-0295	<i>Janvey et al. v. ATP Tour Inc.</i>	16	Defendant ATP Tour Inc.'s Motion to Dismiss Pursuant to Rules 12(b)(1) and 12(b)(6)
57.	November 7, 2011	3:10-cv-2581	<i>Janvey v. Suarez</i>	13	Defendant Yolanda Suarez's Motion to Dismiss First Amended Complaint
58.	December 23, 2011	3:11-cv-2788	<i>Janvey v. Conzelman</i>	10	Defendant Lionel C. Johnson's Motion to Dismiss
59.	November 30, 2012	3:10-cv-1465	<i>Janvey v. Merge Healthcare, Inc.</i>	32	Defendants Merge Healthcare, Inc., Amicas, Inc., and Emageon, Inc.'s Motion to Dismiss Plaintiffs' Second Amended Complaint
60.	March 5, 2013	3:10-cv-1465	<i>Janvey v. Merge Healthcare, Inc.</i>	45	Motion to Dismiss the Receiver's Second Complaint
61.	May 24, 2013	3:10-cv-1955	<i>Janvey v. Tonarelli</i>	25	Motion to Dismiss First Amended Complaint, and, in the Alternative, to Compel Arbitration

<u>Other Motions</u>					
<u>Other Motions Pending in District Court</u>					
	<u>Date Filed</u>	<u>Case No.</u>	<u>Case Name</u>	<u>Doc. No.</u>	<u>Motion</u>
62.	February 3, 2011	3:10-cv-1394	<i>Janvey v. Wieselberg et al.</i>	13	Receiver's Motion to Dismiss and Original Answer to Thomas L. Gourlay's Counterclaims
63.	February 17, 2011	3:10-cv-1394	<i>Janvey v. Wieselberg et al.</i>	16	Receiver's Motion to Dismiss and Original Answer to Cineyris J. Davila's Counterclaims
64.	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
65.	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
66.	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
67.	September 26, 2012	3:09-cv-0724	<i>Janvey v. Alguire et al.</i>	865	Motion for Leave to File First Amended Answer to Receiver's Second Amended Complaint Against Former Stanford Employees and Counterclaim filed by John D. Orcutt
68.	December 12, 2012	3:12-cv-0644	<i>Janvey et al. v. Proskauer Rose, LLP et al.</i>	55	Plaintiffs' Joint Response to Defendants' Motions to Dismiss Plaintiffs' First Amended Complaint, Motion for Recommendation of Remand, and Motion to Stay Pending Remand and Transfer of This Action

69.	May 21, 2013	3:10-cv-0366	<i>Janvey v. Venger et al.</i>	358	Sealed Motion to Appoint International Process Server
70.	June 11, 2013	3:13-cv-0775	<i>Janvey v. Pablo M. Alvarado et al.</i>	22	Robert S. Winter's Motion to Stay
<u>Other Pending Motions Referred to Magistrate Judge Frost</u>					
	<u>Date Filed</u>	<u>Case No.</u>	<u>Case Name</u>	<u>Doc. No.</u>	<u>Motion</u>
71.	August 10, 2012	3:11-cv-1177	<i>Janvey v. Libyan Investment Authority et al.</i>	89	Receiver's Second Motion to Compel
72.	September 7, 2012	3:11-cv-1177	<i>Janvey v. Libyan Investment Authority et al.</i>	96	Defendants' Cross-Motion for a Protective Order
73.	February 6, 2013	3:11-cv-1177	<i>Janvey v. Libyan Investment Authority et al.</i>	145	Receiver's Motion to Compel Depositions
74.	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
75.	June 27, 2013	3:11-cv-0177	<i>Janvey et al. v. IMG Worldwide, Inc.</i>	42	Defendants' Motion to Stay Discovery

Dated: August 12, 2013

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Kevin M. Sadler

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COURT-APPOINTED EXAMINER

CERTIFICATE OF SERVICE

On August 12, 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