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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

V.

Civil Action No. 3:09-CV-298-N

STANFORD INTERNATIONAL BANK
LTD., et al.,

Defendants.

ORDER

This Order addresses the Receiver's Motion for Supplemental Award of Professional Fees and Expenses [3423]. The Receiver requests the Court to release the portion of the professional fees and expenses that have been held back to date and that the Court lift the holdback beginning with the 82nd fee application. The Court finds that this motion is still premature, as the holdback was instituted to remain "through the life of the Receivership." Sept. 10, 2009, Hearing Tr. at 39 [777]. "In general, a reasonable fee is based on all circumstances surrounding the receivership." SEC v. W.L. Moody & Co. Bankers (Unincorporated), 374 F.Supp. 465, 480 (S.D. Tex. 1974), aff'd, 519 F.2d 1087 (5th Cir. 1975). While much has happened since this Receivership began in 2009, it is still too soon to determine the full circumstances of the receivership because the Receiver anticipates that "distributions and wind-up activities may extend through 2029." Receiver's Mot. Br. 42. The Court therefore finds that a determination on the holdback is

not yet timely and denies the motion; the Court will consider the questions of releasing the holdback and fee application compensation at the end of the receivership. The Court retains the present fee structure and holdback for future fee applications.

Signed January 28, 2025.

David C. Godbey

Chief United States District Judge