

**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.



Case No. 3:09-CV-00298-N

## RECEIVER'S MOTION FOR AUTHORIZATION TO DISPOSE OF RECORDS AND EQUIPMENT AND BRIEF IN SUPPORT

The Court’s Order appointing the Receiver commanded the Receiver to “collect, marshal, and take custody, control, and possession of all the funds, accounts, mail, and other assets of, or in the possession or under the control of, the Receivership Estate.” Order Appointing Receiver at 3, Dkt. 10 (citation modified). The Court also directed the Receiver to “obtain . . . documents, books, records, accounts, deposits, testimony, or other information within the custody or control of any person or entity sufficient to identify accounts, properties, liabilities, causes of action, or employees of the Receivership Estate.” *Id.* at 4 (citation modified). Consistent with those directives, the Receiver and his team of professionals secured and have maintained control over a large volume of physical and electronic records and equipment related to the operation of the Stanford entities. *See* Declaration & Report of Receiver Ralph S. Janvey at 7–9, Dkt. 3521 (Receiver’s Report).

The physical records and equipment include more than 2,000 laptops, other computers, hard drives, and servers, along with more than 19,700 boxes of physical records. *Id.* at 7. These

physical records include numerous accounting, legal, operational, employment, and mail documents. *Id.* These records and equipment have been stored at a warehouse in Houston, Texas for more than fifteen years. No one has asked to view or inspect these materials held at the warehouse since July 2019. *Id.*

The Receivership also maintains tens of millions of electronic records gathered from the numerous Stanford Offices and data systems, and through litigation against hundreds of third parties over the life of the Receivership Estate. *Id.* These electronic records include, among other things, e-mails, excel workbooks, PowerPoint presentations, and numerous and varied documents. The last time these documents were accessed, or requested, by anyone outside of the Receivership Estate was July 2019. *Id.*

Given the facts that 1) the Receivership is in the process of winding down, 2) the Receiver is no longer involved in any litigation, 3) the various criminal cases against Allen Stanford and his co-conspirators have concluded, and 4) the SEC's civil proceedings against Allen Stanford are subject to a final judgment, the Receiver sees no reason to retain this large volume of material, especially in light of the significant monthly cost of more than \$145,000.00 to the Estate. *Id.* at 9.

This Court has previously recognized that the disposal of the Receivership's records and equipment is an appropriate step in winding-down the Receivership. *See* Dkt. 1881 at 2 (requiring the Receiver to maintain Stanford Trust Company's records "until further order of the Court or the termination of the Receivership"). Courts routinely approve of disposing of records upon the termination of a receivership, even in the face of objections or requests that a receiver maintain records. *See, e.g., United States v. Petters*, No. 08-5348 ADM/TNL, 2021 WL 3883392, at \*3 (D. Minn. July 29, 2021), *aff'd sub nom., United States v. Kelley*, 70 F.4th 482 (8th Cir. 2023) (authorizing the receiver to destroy records and property as the receiver deems appropriate and at

the receiver's sole discretion unless a party requesting that the receiver maintain the records "pays in advance all fees and costs related to such request and ongoing retention"); *United States v. Bradley*, No. CR 405-059, 2019 WL 1903413, at \*1 (S.D. Ga. Apr. 29, 2019) (granting receiver's motion to destroy records over objection); *Global NAPs, Inc. v. Verizon New England, Inc.*, 389 F. Supp. 3d 144, 145 (D. Mass. 2019) (granting the receiver's motion to destroy records and authorizing receiver to destroy records in the event the objecting third party failed to take possession of the records); *SEC v. Cap. Cove Bancorp LLC*, No. SACV 15-00980-JLS(JCx), 2018 WL 11357746, at \*8 (C.D. Cal. Sep. 7, 2018) (authorizing the receiver to destroy records if the SEC did not accept custody of the receivership's records or items within 30 days of written notice).

#### **REQUESTED RELIEF**

To further the ongoing work of winding down the Receivership and to minimize the continuing costs to the Receivership Estate, the Receiver requests that he be allowed to dispose of the above-described records and equipment after approval of the Final Distribution Plan, *see* Receiver's Motion for Approval of Final Distribution Plan, Dkt. 3522, at a time and in a manner that the Receiver deems appropriate in his discretion. The Receiver requests that the Court order any party wishing to access or copy these records to make a request in writing no later than sixty days following entry of an order approving this motion and reimburse the Receivership Estate for any fees and expenses incurred in responding to and processing such a request. Any such request should (1) identify the specific documents and records for which access or copying is sought and (2) specifically explain why the request is reasonable and necessary. The Receiver requests that

this motion be granted and that he be awarded all other relief with respect to this matter to which he is justly entitled.<sup>1</sup>

Dated: August 20, 2025

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Kevin M. Sadler

Kevin M. Sadler  
Texas Bar No. 17512450  
kevin.sadler@bakerbotts.com  
1001 Page Mill Road  
Building One, Suite 200  
Palo Alto, CA 94304-1007  
650.739.7500  
650.739.7699 (Facsimile)

Scott D. Powers  
Texas Bar No. 24027746  
scott.powers@bakerbotts.com  
David T. Arlington  
Texas Bar No. 00790238  
david.arlington@bakerbotts.com  
Brendan A. Day  
Texas Bar No. 24052298  
brendan.day@bakerbotts.com  
Mary Margaret Roark  
Texas Bar No. 24102418  
marymargaret.roark@bakerbotts.com  
401 South 1st Street, Suite 1300  
Austin, TX 78704-1296  
512.322.2500  
512.322.2501 (Facsimile)

**ATTORNEYS FOR RECEIVER RALPH S. JANVEY**

---

<sup>1</sup> The Receiver will continue to maintain financial records and documents necessary to support administering the Final Distribution and wind-down tasks (such as filing final tax returns). *See* Receiver's Motion for Approval of Final Distribution Plan at 4, Dkt. 3522.

### **CERTIFICATE OF CONFERENCE**

Counsel for the Receiver has conferred with the parties to this lawsuit concerning this motion and the relief requested herein, as more particularly set forth below:

- Counsel for the Receiver conferred with Jason Rose, counsel for the SEC, who stated that the SEC is unopposed to this motion and the relief requested herein.
- Counsel for the Receiver conferred with John Little, the Court-appointed Examiner, who stated that he is unopposed to this motion and the relief requested herein.
- Counsel for the Receiver conferred with Michael W. May, counsel for the DOJ (Tax Division), who did not provide a response regarding the United States (IRS)'s position on this motion or the relief requested herein.
- Counsel for the Receiver conferred with Jeff Tillotson, counsel for Laura Pendergest-Holt, who did not provide a response regarding Ms. Pendergest-Holt's position on this motion or the relief requested herein.
- Counsel for the Receiver conferred with Cole B. Ramey, counsel for Gilberto Lopez, who did not provide a response regarding Mr. Lopez's position on this motion or the relief requested herein.
- Counsel for the Receiver conferred with the office of David Finn, who is listed on the docket sheet as the attorney to be noticed for James Davis, who did not provide a response regarding Mr. Davis's position on this motion or the relief requested herein.
- Counsel for the Receiver conferred with John Helms, Jr. and Gregg Anderson, counsel for Mark Kuhrt, who did not provide a response regarding Mr. Kuhrt's position on this motion or the relief requested herein.
- Counsel for the Receiver conferred with Michael Stanley, counsel for Leroy King, who did not provide a response regarding Mr. King's position on this motion or the relief requested herein.
- Defendant R. Allen Stanford, who represents himself pro se in this matter, is currently incarcerated. It is therefore impractical to confer with him regarding this motion. It is reasonable to assume, however, that Mr. Stanford is opposed to this motion and the relief requested herein.

The motion, therefore, is opposed.

/s/ Kevin M. Sadler

Kevin M. Sadler

**CERTIFICATE OF SERVICE**

On August 20, 2025, 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 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).

On August 20, 2025, I served a true and correct copy of the foregoing document and the notice of electronic filing by United States Postal Service Certified Mail, Return Receipt required to the persons noticed below who are non-CM/ECF participants:

R. Allen Stanford, Pro Se  
Inmate #35017183  
Coleman II USP  
Post Office Box 1034  
Coleman, FL 33521

/s/ Kevin M. Sadler  
Kevin M. Sadler