

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

SECURITIES AND EXCHANGE COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No.: 3-09-CV-0298-N
	§	
STANFORD INTERNATIONAL BANK, LTD., ET	§	
AL.,	§	
	§	
Defendants.	§	

**ORDER GRANTING RECEIVER’S UNOPPOSED MOTION  
TO APPROVE PROCEDURES TO APPLY FOR REVIEW  
AND POTENTIAL RELEASE OF ACCOUNTS**

Upon consideration of the Receiver’s Unopposed Motion for Order Authorizing Procedures for Applying for Review and Potential Release of Accounts (the “Motion”), the Court is of the opinion that the Motion should be GRANTED in all respects.

IT IS THEREFORE ORDERED THAT the Receiver’s Motion is GRANTED in all respects.

IT IS FURTHER ORDERED THAT the Receiver is authorized to adopt and follow the procedures described in the Release Application Procedures<sup>1</sup> in substantially the form contained in Exhibit A to the Motion, provided however that option (4) on page 4 is amended to add “subject to Court approval”;

IT IS FURTHER ORDERED THAT the Receiver is authorized to adopt and collect the Application for Review and Potential Release of Accounts in substantially the form

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

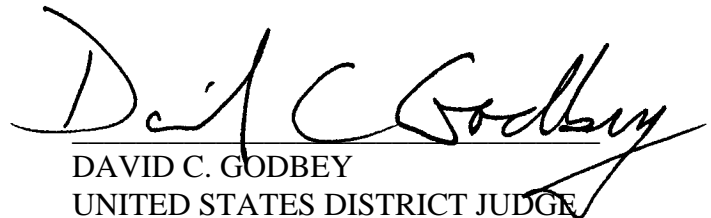
contained in Exhibit B to the Motion, subject to necessary modifications for use as a web-based form;

IT IS FURTHER ORDERED THAT the Receiver is authorized, upon review of applications submitted pursuant to the Release Application Procedures, to release accounts from the Freeze Order that the Receiver in his discretion deems eligible for release;

IT IS FURTHER ORDERED THAT the Receiver is authorized, upon review of applications submitted pursuant to the Release Application Procedures and such additional information as the Receiver may require, engage in negotiations with applicants and seek to compromise and settle with applicants on such terms as the Receiver in his sole discretion deems are in the best interest of the Receivership Estate, subject to Court approval; and

IT IS FURTHER ORDERED THAT this Order is not a final adjudication of the Receiver's rights with respect to the released accounts.

Signed March 27, 2009.

  
DAVID C. GODBEY  
UNITED STATES DISTRICT JUDGE

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

SECURITIES AND EXCHANGE COMMISSION, §

Plaintiff, §

v. §

Case No.: 3-09-CV-0298-N

STANFORD INTERNATIONAL BANK, LTD., ET §

AL., §

Defendants. §

§  
§  
§  
§  
§  
§

**RECEIVER’S UNOPPOSED MOTION  
TO APPROVE PROCEDURES TO APPLY  
FOR REVIEW AND POTENTIAL RELEASE OF ACCOUNTS**

Ralph S. Janvey, as Receiver for Defendants and all Stanford-related entities, respectfully moves the Court for an order authorizing him to implement procedures for review and potential release of customer accounts that remain subject to the freeze orders previously issued by this Court and still in effect. Under the Court’s previously entered release orders, over 85 percent of the accounts originally frozen have been released from the asset hold. The more than 28,500 accounts released so far contain aggregate assets of at least \$4.6 billion. Approximately 4,000 accounts remain subject to the asset hold, containing aggregate assets of approximately \$1.7 billion. The Receiver seeks approval to publish and implement procedures to expedite the process of reviewing these remaining accounts and determining which, if any, should be released from the asset hold. The Receiver also seeks authority, upon review of applications submitted pursuant to the release application procedures, to release accounts from the freeze orders that the Receiver in his discretion deems eligible for release.

## I. BACKGROUND

### A. Entry of TRO, Freeze Order, PI, and Receivership Order

On February 16, 2009, the Securities and Exchange Commission (the “Commission”) commenced a lawsuit in this Court against R. Allen Stanford, two associates, James M. Davis and Laura Pendergest-Holt, and three of Mr. Stanford’s companies, Stanford International Bank, Ltd. (“SIBL”), Stanford Group Company (“SGC”), and Stanford Capital Management, LLC. (the “Defendants”). The Commission alleges, in its First Amended Complaint filed on February 27, 2009, that Defendants perpetrated a \$9 billion fraudulent scheme by (1) promising high return rates on “certificates of deposits” that exceeded those available through true certificates of deposits offered by traditional banks and (2) selling a proprietary mutual fund wrap program known as Stanford Allocation Strategy (“SAS”) using materially false and misleading historical performance data. *Am. Comp.* ¶¶ 3, 6.

The Court found good cause to believe that Defendants violated federal securities laws. Accordingly, on February 17, 2009, the Court entered an order appointing Ralph S. Janvey Receiver over all the assets of the Defendants and all the entities they own or control. (“Receivership Order”)<sup>1</sup> The Court also issued a temporary restraining order (“TRO”) that, among other things, temporarily enjoined the Defendants from committing certain violations of law. The order containing the TRO also contained an order freezing assets and order requiring preservation of documents (“Freeze Order”). The Freeze Order includes certain provisions that, among other things:

- freeze the assets of the Receivership Estate and prohibit the destruction of records,
- enjoin any financial or depository entities that hold one or more accounts in the name, on behalf or for the benefit of the Defendants or subsequently added relief defendants from

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<sup>1</sup> On March 12, 2009, the Court entered an Amended Order Appointing Receiver that made changes not material to this motion.

engaging in any transaction in securities or any disbursement of funds or securities pending further instructions of the Receiver, and

- enjoin all other entities and individuals from disbursing any funds, securities or other property obtained from the Defendants or subsequently added relief defendants without adequate consideration.

The TRO necessarily was broad in scope in order to prevent Defendants from taking assets from accounts they held or managed for customers and to secure proceeds associated with allegedly fraudulent products or activities. The TRO froze the assets of Stanford customer accounts, including approximately 32,000 accounts held by Pershing and 170 accounts held by JP Morgan.<sup>2</sup>

Defendant SGC is a registered broker dealer and investment advisor headquartered in Houston, Texas, with 29 offices located throughout the United States. It was the introducing broker for the Stanford customer accounts held at Pershing and JP Morgan. At the time the Injunctions were issued, there was no information available to allow the Receiver to immediately identify specific accounts associated with allegedly fraudulent products or activities. Thus, the safest and most appropriate way to implement the Court's order was to place a hold on all accounts at Pershing and JP Morgan that were introduced by Stanford. It was also the only way to assure that the activities prohibited by the Injunctions did not continue and to assure that customer accounts were secured.

#### **B. The March 5 Release Order**

After the TRO and Receivership Order were entered, the Receiver not only began locating and taking control of all receivership estate property, assets and records, but also began

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<sup>2</sup> After a hearing on March 2, 2009, the Court ordered an Agreed Preliminary Injunction as to Stanford International Bank, Ltd., Stanford Group Company, and Stanford Capital Management, LLC and an Agreed Preliminary Injunction as to Laura Pendergest-Holt. After a hearing on March 12, 2009, the Court entered preliminary injunctions as to R. Allen Stanford and James M. Davis. The preliminary injunctions have substantially the same effect as the initial TRO and Freeze Order. The TRO, preliminary injunctions, and injunctions contained in the Receivership Order and amended Receivership Order are collectively referred to as the "Injunctions."

developing information necessary to identify categories of customer accounts and determine whether certain categories of accounts should remain subject to the asset hold. For example, shortly after the Court's orders were entered, the Receiver announced on his website that mutual fund assets of Stanford clients held outside of Stanford's custodial relationships with Pershing were not subject to the asset hold.

At the hearing on March 2, 2009, the Receiver advised the Court that he would make further recommendations to the Court by March 16 regarding the release of certain Stanford customer accounts. On March 4, 2009, the Receiver did exactly that by filing his first Motion for Order Authorizing Release of Certain Customer Accounts, and the Court granted the motion on March 5, 2009 (the "March 5 Release Order").

In the March 5 Release Order, the Court authorized release of Stanford customer accounts located at Pershing that have less than \$250,000 in assets as of month-end February 2009, unless they (1) were owned by shareholders, directors, and certain employees (identified by the Receiver in his sole discretion) of the Defendants and all entities owned or controlled by the Defendants (collectively, "Stanford"); (2) were owned for the benefit of Stanford; (3) contain investment assets that are managed by Stanford; (4) secured unpaid balances owed by customers or non-purpose loans made to customers; or (5) were related to accounts in categories 1 through 4 by social security number, address or other similar indicators. Following the March 5 Release Order, approximately 20,000 customer accounts remained subject to the Freeze Order.

**C. The March 12 Release Order**

In addition to accounts with assets under \$250,000 that fell within the five exception categories described above, the accounts that remained subject to the hold after the March 5 Release Order included Pershing accounts with assets of \$250,000 or more and all accounts held at JP Morgan. Given the significant value represented by these remaining accounts

(approximately \$5.85 billion in aggregate assets), the Receiver was unable to release them without further analysis regarding whether they might contain proceeds from allegedly fraudulent products or activities.

After conducting further analysis of the information available to him, the Receiver filed a Second Motion for Order Authorizing Release of Certain Customer Accounts, which the Court granted on March 12, 2009 (the “March 12 Release Order,” together with the March 5 Release Order, the “Release Orders”).

Under the March 12 Release Order, the Court authorized the Receiver to release all Stanford customer accounts located at Pershing and JP Morgan not previously released, except those accounts that: (1) are owned by an individual Defendant or by any person who, based on records available to the Receiver, had any of the following relationships to any Defendant or to any entity owned or controlled by the Defendants (collectively “Stanford”): shareholder, member of the board of directors, member of senior management (as determined by the Receiver in his sole discretion) or registered representative or financial advisor who earned commissions or fees based on certificates of deposit or owed loans to Stanford Group Company; (2) are owned for the benefit of the individual Defendants or Stanford companies; (3) have at least \$250,000 in assets as of February 27, 2009 and the Receiver has determined, by utilizing electronic data reasonably available to him through his investigation, may contain proceeds from the allegedly fraudulent products or activities; (4) secure unpaid balances owed by customers or non-purpose loans made to customers; or (5) are related to accounts in categories 1 through 4 by social security number or tax identification number, when available.

Under the Release Orders, over 85 percent of the accounts originally frozen have been released from the Freeze Order. The over 28,500 accounts released under the Release Orders contain aggregate assets of at least \$4.6 billion.<sup>3</sup>

## II. ARGUMENT

### A. Procedures Required for Further Review and Potential Release of Accounts

Following entry of the Release Orders, there are a total of approximately 4,000 Stanford customer accounts with aggregate assets in excess of \$1.7 billion that continue to be subject to the Freeze Order (the “Frozen Accounts”). Based on the information currently available to the Receiver, the Receiver believes that these accounts should not be released from the Freeze Order at this time. However, the records available to the Receiver with respect to certain accounts are incomplete. Therefore, to determine which, if any, of the Frozen Accounts can be released from the Freeze Order so that assets can be transferred, the Receiver requires additional information from the holders of Frozen Accounts. Moreover, some holders of Frozen Accounts have asked that they have the opportunity to supply the Receiver with information about their accounts that might be relevant in determining whether their accounts should continue to be subject to the Freeze Order.

For these reasons, the Receiver has developed Procedures for Applying for Release of Accounts (“Release Application Procedures,” attached as Exhibit A) which holders of Frozen Accounts may use to submit information (and in some cases supporting documentation) to the Receiver through a web-based application form (attached as Exhibit B) that will be published on the Receiver’s website, [www.stanfordfinancialreceivership.com](http://www.stanfordfinancialreceivership.com). The Receiver also will mail a notice of the Release Application Procedures along with the application form to all holders of

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<sup>3</sup> The Receiver has published on his website procedures for account holders to follow to transfer their assets from accounts released from the Freeze Order, and thousands of account holders have successfully transferred their assets.

Frozen Accounts with addresses known to the Receiver. Account holders will have the option of submitting their application either with the web-based form or the hard copy sent to them by the Receiver. Requiring holders of Frozen Accounts to apply for review in accordance with the Release Application Procedures will provide an orderly and efficient process for the Receiver to review the Frozen Accounts and determine which, if any, should be released from the Freeze Order.

**B. Summary of Release Application Procedures**

The Frozen Accounts can be separated into two categories:<sup>4</sup> Category 1 Accounts are accounts that the Receiver has determined through his investigation may contain proceeds from allegedly fraudulent products or activities or may be related to such accounts. Category 2 Accounts are accounts of Defendants or entities owned by an individual Defendant or by any person who, based on records available to the Receiver, had any of the following relationships to any Defendant or to any entity owned or controlled by the Defendants: shareholder, member of the board of directors, member of senior management (as determined by the Receiver in his sole discretion) or registered representative or financial advisor who earned commissions or fees based on certificates of deposit or owed loans to Stanford Group Company.

Under the Release Application Procedures, for holders of Frozen Accounts in either category to have the Receiver consider releasing their accounts from the Freeze Order, the account holders must provide, at a minimum, the following information:

- (a) Applicant's name;
- (b) Applicant's current contact address and citizenship;

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<sup>4</sup> A small percentage of the Frozen Accounts are accounts that are frozen only because they secure unpaid balances owed by customers or non-purpose loans made to customers. These account holders need not follow the Release Application Procedures to have their accounts released. They need only pay off the unpaid balances or non-purpose loans and notify the Receiver, who will then release the accounts pursuant to the Court's previous Release Orders.

- (c) Applicant's current phone number;
- (d) Applicant's current email address (if any);
- (e) Applicant's Social Security number, tax identification number, or national identification number;
- (f) Applicant's broker's name and office;
- (g) For each Stanford account the applicant has held past or present (including any account with SGC; SIBL; Stanford Capital Management; Stanford Trust Company; Stanford Coins & Bullion; Stanford Family Office; or other Stanford entity), the applicant's account number(s), the current market value of the account (as of the most recent account statement), and an account description.

In addition to providing this basic information, under the Release Application Procedures, applicants with Category 1 Accounts also must provide answers to the following questions and, only if requested, provide documentation to support their answers:

- (a) Have you ever owned a certificate of deposit issued by SIBL?;
- (b) Have you ever received a redemption of all or a portion of the principal on a certificate of deposit issued by SIBL, and if so, when, how much, and what did you do with those funds?;
- (c) Have you ever received a payment of interest or roll-over of interest to principal on any certificate of deposit issued by SIBL, and if so, when, how much, and what did you do with the funds?; and
- (d) Aside from a transfer to purchase or sell a CD, have you ever transferred funds to or received funds from SIBL, and if so, when, how much, and for what purpose?

In addition to providing the basic information described above, under the Release Application Procedures, applicants with Category 2 Accounts must provide a statement explaining why they think the Receiver should not view them as account holders who have participated in or benefited from fraudulent activities, and they must be prepared to provide the Receiver with information and documentation supporting their explanations.

Furthermore, all applicants will be required to consent to the following declaration in conjunction with the submission of their application:

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the information and documentation I am providing in and with this application, including in any attachments or supplements thereto, are true and accurate.

By filing this application, I submit to the exclusive jurisdiction of the United States District Court for the Northern District of Texas, Dallas Division and irrevocably waive any right I or any entity I control may otherwise have to object to any action being brought in the Court or to claim that the Court does not have jurisdiction over the matters relating to my account.

By filing this application, I signify that I understand and agree that if the Receiver releases any assets in my account(s) in reliance on the information and documentation I provided, and it is subsequently determined that (1) I have participated, or any entity I control has participated, in a fraud with any Defendant or any Defendant's associates or any person(s) in active participation with them, or (2) I have received (knowingly or unknowingly) any assets and/or funds resulting from fraudulent activities or products at issue in the above-captioned case, I will cause such assets and/or funds to be returned promptly to the Receiver.

**C. Receiver's Review of Submitted Applications**

Following the submission of applications, the Receiver will undertake a review of the applications and, pursuant to the Release Application Procedures, will take one of four courses of action:

- (1) Release the applicant's account from the Freeze Order, and notify the applicant that the applicant may, by following procedures posted on the Receiver's website, transfer the applicant's account assets to another brokerage firm where the applicant will have access to the account assets;
- (2) Notify the applicant that the applicant's account cannot be released from the Freeze Order and that the applicant's account assets cannot be made available for transfer to an accessible account;
- (3) Notify the applicant that the applicant needs to provide additional information or documentation before the Receiver can determine whether the applicant's account can be released from the Freeze Order and the account assets can be made available for transfer to an accessible account; or
- (4) Pursuant to paragraph 2 (granting the Receiver the "full power of an equity receiver under common law") and paragraph 5(f) (authorizing the Receiver to compromise or settle claims) of the Receivership Order, seek to engage in negotiations with the applicant and compromise and settle with the applicant on such terms as the Receiver in his sole discretion deems are in the best interest of the Receivership Estate.

Authorizing the implementation of the Release Application Procedures and approval of the accompanying application form will enable the Receiver to identify from among the remaining Frozen Accounts any accounts that ought to be released upon review of the applications. Implementation of the Release Application Procedures will aid the Receiver in carrying out the responsibilities entrusted to him in the Receivership Order and will result in the continuing efficient and equitable administration of the Receivership Estate. The Receiver will

redact applicant's identifying information (name, identification number, address, phone, and email) in any filing of the application with the Court that is publicly available.

### **III. CONCLUSION AND REQUEST FOR RELIEF**

The Receiver requests that the Court grant this motion in all respects, and specifically (1) authorize the Receiver to adopt and follow the Release Application Procedures in substantially the form contained in attached Exhibit A; (2) authorize the Receiver to adopt the Application for Review and Potential Release of Accounts in substantially the form contained in attached Exhibit B, subject to necessary modifications for use as a web-based form; (3) authorize the Receiver, upon review of applications submitted pursuant to the Release Application Procedures, to release accounts from the Freeze Order that the Receiver in his discretion deems eligible for release; and (4) grant such other relief the Court may deem just and equitable.

Dated: March 26, 2009

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Timothy S. Durst

Kevin M. Sadler, Lead Attorney

Texas Bar No. 17512450

kevin.sadler@bakerbotts.com

Robert I. Howell

Texas Bar No. 10107300

robert.howell@bakerbotts.com

David T. Arlington

Texas Bar No. 00790238

david.arlington@bakerbotts.com

1500 San Jacinto Center

98 San Jacinto Blvd.

Austin, Texas 78701-4078

Tel: 512.322.2500

Fax: 512.322.2501

Timothy S. Durst

Texas Bar No. 00786924

tim.durst@bakerbotts.com

2001 Ross Avenue

Suite 600

Dallas, Texas 75201-2980

Tel: 214.953.6500

Fax: 214.953.6503

**ATTORNEYS FOR RECEIVER  
RALPH S. JANVEY**

**CERTIFICATE OF CONFERENCE**

I hereby certify that on March 25, 2009, I contacted David Reece with the Securities and Exchange Commission and counsel for Defendant Laura Pendergest-Holt, Jeffrey Tillotson. Neither indicated any opposition to the motion. Accordingly, this motion is unopposed.

/s/ Timothy S. Durst  
Timothy S. Durst

**CERTIFICATE OF SERVICE**

On March 26, 2009 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 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/ Timothy S. Durst  
Timothy S. Durst

# Exhibit A

**EXHIBIT A**

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

SECURITIES AND EXCHANGE COMMISSION	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No.: 3-09CV0298-N
	§	
STANFORD INTERNATIONAL BANK, LTD.,	§	
ET AL.,	§	
	§	
Defendants.	§	

**PROCEDURES FOR APPLYING  
FOR REVIEW AND POTENTIAL RELEASE OF ACCOUNTS**

**TO ALL PERSONS OR ENTITIES WITH ACCOUNTS LOCATED AT PERSHING LLC OR J.P. MORGAN CLEARING CORP. FROZEN BY ORDER OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION AND NOT PREVIOUSLY RELEASED. THIS NOTICE PROVIDES INFORMATION REGARDING THE PROCEDURES YOU SHOULD FOLLOW TO HAVE YOUR ACCOUNT REVIEWED AND POTENTIALLY RELEASED BY THE RECEIVER APPOINTED IN THE ABOVE-CAPTIONED CASE. PLEASE READ THIS NOTICE CAREFULLY AND CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS.**

**PURPOSE OF PROCEDURES**

On February 16, 2009, the United States District Court for the Northern District of Texas, Dallas Division (the “Court”) signed a temporary restraining order (“TRO”) that, among other things, temporarily enjoined the Defendants from committing certain violations of law. The order containing the TRO also contained an Order Freezing Assets and Order Requiring Preservation of Documents (“Freeze Order”). The Freeze Order contained certain provisions including:

- provisions that freeze the assets of the Receivership Estate and prohibit the destruction of records,
- a provision that enjoins any financial or depository entities that hold one or more accounts in the name, on behalf or for the benefit of the Defendants or subsequently added relief defendants from engaging in any transaction in securities or any disbursement of funds or securities pending further instructions of the Receiver, and
- a provision that enjoins all other entities and individuals from disbursing any funds, securities or other property obtained from the Defendants or subsequently added relief defendants without adequate consideration. ([See the TRO and Freeze Order at the Receiver's website](#)).

On March 2 and March 12, 2009, the Court entered preliminary injunctions against the Defendants to the same effect as the TRO. ([See the preliminary injunctions at the Receiver's website](#).)

In separate orders dated [March 5, 2009](#) and [March 12, 2009](#) (the “Release Orders”) ([see the Receiver’s statement on the Release Orders at the Receiver's website](#)), the Court released the great majority of customer brokerage accounts. As a result, more than 28,500 customer accounts have now been released. Account holders whose accounts were released by the Release Orders can transfer their previously frozen assets by following the procedures posted [on the Receiver's website](#). **Account holders whose accounts have been released under the Release Orders do not need to follow the procedures contained in this notice.**

### **ACCOUNTS ELIGIBLE TO APPLY FOR REVIEW AND POTENTIAL RELEASE**

The Receiver has identified approximately 4,000 remaining accounts that are still subject to the Freeze Order pending further investigation. These accounts can be separated into the following two categories:

- (1) **Category 1 Accounts**: Accounts that the Receiver has determined through his investigation may contain proceeds from allegedly fraudulent products or activities or are related to such accounts; and

- (2) **Category 2 Accounts**: Accounts of Defendants or entities owned by an individual Defendant or by any person who, based on records available to the Receiver, had any of the following relationships to any Defendant or to any entity owned or controlled by the Defendants: shareholder, member of the board of directors, member of senior management (as determined by the Receiver in his sole discretion) or registered representative or financial advisor who earned commissions or fees based on certificates of deposit or owed loans to Stanford Group Company.

If you are an account holder in either of those two categories of accounts not released under the Release Orders, **you are now eligible to submit an Application for Review and Potential Release of Accounts** to the Receiver in accordance with the instructions provided in this notice. Following such application, the Receiver will review the information (and, if required, documentation that you submit in support) and consider releasing your account. Your cooperation in providing the Receiver with information will assist the Receiver in expediting the identification of accounts eligible for release from the Freeze Order.

### **COMPLIANCE REQUIRED FOR RELEASE OF ACCOUNT**

If you are a customer with a Stanford Group Company account held at Pershing or JP Morgan that remains frozen following the Court's entry of the Release Orders, the Receiver will undertake a review of your request to have your account(s) released and made available for transfer, provided that you follow the procedures contained in this notice. Failure to completely follow the procedures contained in this notice will delay or prevent your frozen account from being released from the Freeze Order and your account assets being made available for transfer to an accessible account.

## **COMPLIANCE NO GUARANTEE OF RELEASE OF ACCOUNT**

Compliance with the procedures contained in this notice **will not guarantee** that your account will be released from the Freeze Order so that you can transfer your assets to an accessible account. Based on the information you provide (and, for certain account holders, documentation in support of your information) in accordance with the instructions contained in this notice, and other information available to him, the Receiver will take one of four courses of action:

- (1) Release your account from the Freeze Order and notify you that you may, by following procedures posted on the Receiver's website, transfer your account assets to another brokerage firm where you will have access to your assets;
- (2) Notify you that your account cannot be released from the Freeze Order and your account assets cannot be made available for transfer to an accessible account;
- (3) Notify you that you need to provide additional information or documentation before the Receiver can determine whether your account can be released from the Freeze Order and your assets can be made available for transfer to an accessible account; or
- (4) Engage in negotiations with you and seek to compromise and settle with you on such terms as the Receiver in his sole discretion deems are in the best interest of the Receivership Estate.

## **APPLICATION PROCEDURES**

To have the Receiver review and consider releasing an account that was not eligible for release under the Release Orders, you **must** provide the Receiver with, at a minimum, the following information (regardless of whether your account falls under Account Category 1 or Account Category 2):

- (a) Your name;
- (b) Your current contact address and citizenship;
- (c) Your current phone number;
- (d) Your current email address (if you have one);
- (e) Social Security number, tax identification number, or national identification number;
- (f) The name and office of your broker at Stanford;
- (g) For each Stanford account you have held past or present (including any account with Stanford Group Company; Stanford International Bank, Ltd. (“SIBL”); Stanford Capital Management; Stanford Trust Company; Stanford Coins & Bullion; Stanford Family Office; or other Stanford entity), your account number(s), the current market value of the account (as of the most recent account statement), and an account description.

In addition to providing the information that all applicants must provide, if you are a **Category 1 Account** applicant, you must provide answers to the following questions and, if available, provide documentation to support your answers:

- (a) Have you ever owned a certificate of deposit issued by SIBL?;
- (b) Have you ever received a redemption of all or a portion of the principal on a certificate of deposit issued by SIBL, and if so, when, how much, and what did you do with those funds?;
- (c) Have you ever received a payment of interest or roll-over of interest to principal on any certificate of deposit issued by SIBL, and if so, when, how much, and

what did you do with the funds? If you transferred to another account, provide account details; and

- (d) Aside from a transfer to purchase or sell a CD, have you ever transferred funds to or received funds from SIBL, and if so, when, how much, and for what purpose?

In addition to providing the information that all applicants must provide, if you are a **Category 2 Account** applicant, you must provide a statement explaining either (1) why you think you should not be classified as a person who had any of the relationships to the Defendants or entities controlled by them as set forth in Category 2 above or (2) even if you were a person with such a relationship, why you think the Receiver should not view you as an account holder who has participated in or benefited from fraudulent activities, and **in either case** provide the Receiver with information and documentation supporting your explanation.

The information that you submit must be true, complete, and accurate in all respects, and will be subject to 28 U.S.C. § 1746 [provide hyperlink to the statute]. By filing your application, you will also be submitting to the exclusive jurisdiction of the United States District Court for the Northern District of Texas, Dallas Division, irrevocably waiving any right you have to claim that the Court does not have jurisdiction over the matters relating to your account(s), and signify that you understand and agree that if the Receiver releases any funds and/or assets in your account(s) in reliance on the information and documentation you provided, and it is subsequently determined that (1) you have participated, or any entity you control has participated, in a fraud with any of the Defendants in the above-captioned case, or any of their associates or any other person(s) in active participation with them (the "Covered Stanford Group"), or (2) you have received (knowingly or unknowingly) any assets and/or funds resulting from fraudulent activities

or products in the above-captioned case, you will cause the immediate return of such funds and/or assets promptly to the Receiver.

For your convenience, the Receiver has provided an online Application for Review and Potential Release of Accounts for you to fill out here [hyperlink to application on the website].

**Unless you are specifically asked to do so by the Receiver, you should submit nothing more than a completely filled-out online application.** If the Receiver subsequently advises you, based on the information you provide in the online application, that the Receiver needs supporting documentation, you should gather your documents and submit them to the Receiver either by mail (at the address provided below) or through the Receiver's website.

### **PROCEDURES AFTER APPLICATIONS SUBMITTED**

Once you have provided the Receiver with the Application for Review and Potential Release of Accounts that contains all the required information, the Receiver will, within a reasonable time, review your application. Upon review of your application, the Receiver will notify you of his determination regarding your account. If the Receiver determines that your account can be released from the Freeze Order, he will release your account and notify you of his determination, and you then will be able to transfer the assets and/or funds in your account to another broker where you will be able to access them. If the Receiver determines that your account cannot be released, he will notify you of his determination, and your account will remain subject to the Freeze Order. The Receiver may determine that he requires additional information or documentation before he can decide whether to release your account, in which case he will notify you and request the additional information or documentation. Finally, the Receiver may seek to negotiate with you a compromise and settlement of your application for release of

account in a manner in which, in his sole discretion, he deems fair and equitable and in the best interest of the Receivership Estate.

For accounts that the Receiver determines should not be released, within a reasonable time after a sufficient number of such accounts are identified, the Receiver will propose for the Court's consideration a non-binding dispute-resolution process for account holders who wish to submit the dispute over their accounts to such a process. For claims not resolved through settlement or mediation, the Receiver will seek a status conference with the Court and will submit a proposed course of action for adjudicating any unresolved claims at least ten days before such status conference occurs.

### **WARNING**

Filing an Application for Review and Potential Release of Accounts is voluntary. You are not required to submit anything to the Receiver; however, **if you do not complete an application and follow all the procedures described in this notice, your account will not be eligible for release at this time and will remain frozen** unless and until the Receiver is able to determine that your account is eligible for release. By court order, the Receiver is obligated to provide the Securities and Exchange Commission and other governmental agencies with all information and documentation they may seek in connection with their regulatory or investigatory activities. **Consequently, if you complete an Application for Review and Potential Release of Accounts, the information you provide will be made available to the SEC, the Court, and possibly other U.S. governmental agencies (excluding the IRS and foreign equivalents, if the Receiver is able to withhold such information upon request).** Any information you provide to the Receiver will be deemed to be provided not only to the Receiver but also to the Court and the SEC. If you submit an Application for Review and

Potential Release of Accounts, the Receiver (and the Court) will rely on the information and documentation you provide. **Consequently, you must be truthful and complete in your responses.** The information you submit may be cross-checked by the Receiver based on information obtained in his investigation.

If the Receiver files with the Court information you submit in a manner in which it might be accessible by the public, your personal identifying information (e.g., social security number or tax identification number) and personal contact information (name, phone number(s), email address(es), and physical address(es)) will be redacted and not accessible to the public.

### **WHERE TO SUBMIT YOUR APPLICATION**

You may submit your Application for Review and Potential Release of Accounts **either** by using the web-based application form on the Receiver's website ([www.stanfordfinancialreceivership.com](http://www.stanfordfinancialreceivership.com)) **or** by submitting a hard copy to the following address:

Ralph S. Janvey, Receiver  
c/o \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Do not submit more than one application per account.**

# Exhibit B

**EXHIBIT B**

**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.: 3-09CV0298-N

**APPLICATION FOR REVIEW AND POTENTIAL  
RELEASE OF ACCOUNTS**

Please read carefully the instructions provided in the **Notice of Procedures for Applying for Review and Potential Release of Accounts** before submitting this application. You are encouraged to seek the assistance of legal counsel before submitting this application. Your legal rights may be affected by the submission of this application. Incomplete applications may result in your application for release of account being rejected. **Submit a separate application for each account.** Applicants fall under two categories. For a description of the Account Categories, consult the **Notice of Procedures for Applying for Review and Potential Release of Accounts**.

**Information required from all applicants (regardless of Account Category):**

Your full legal name (and any aliases):	
Current address to which you want all information regarding Stanford to be sent (not P.O. Box):	
If you are not a citizen and resident of the United States, the country in which you are a citizen and in which you reside:	Citizen of:  Resident of:
Your current phone number(s) where you may be contacted:	Daytime:  Nighttime:

Your current email address (if any)	
Your Social Security number, tax identification number (if a U.S. citizen or U.S. domesticated entity), or national identification number (if applicable):	
Your Stanford broker's name	
Your Stanford broker's office location	
Your Stanford Group Company brokerage account number, market value as of most recent statement, and description	Number: Market value: Description:
Your Stanford International Bank, Ltd. ("SIBL") account number, market value as of most recent statement, and description	Number: Market value: Description:
If you have used any other services provided by other Stanford companies, provide the following information:	
Your Stanford Capital Management account number, market value as of most recent statement, and description	Number: Market value: Description:
Your Stanford Trust Company account number, market value as of most recent statement, and description	Number: Market value: Description:
Your Stanford Coins and Bullion account number, market value as of most recent statement, and description	Number: Market value: Description:
Your Stanford Family Office account number, market value as of most recent statement, and description	Number: Market value: Description:

<p>Your account number(s) for any other Stanford account, market value as of most recent statement, and description</p>	<p>Number: Market value: Description:</p>
<p>Account numbers of accounts related to brokerage or Stanford accounts by social security number, tax identification number, or other factors, the market value as of most recent statement, and description:</p>	<p>Number: Market value: Description:</p>

**If you are an applicant whose account falls under Account Category 1 (see Notice of Procedures for Applying for Review and Potential Release of Accounts for a description of Account Categories), answer the following questions truthfully and completely:**

1. Have you ever owned a certificate of deposit issued by SIBL? YES or NO.
  - 1a. If you answered “YES” to question number 1, provide the date(s) of purchase, the amount(s), and the broker(s) who sold the CD(s). Submit your account statement(s).
  - 1b. If you answered “NO” to question number 1, proceed to question 3.
  
2. Have you ever received a redemption of all or a portion of the principal on a CD issued by SIBL, an interest payment on a CD issued by SIB, or roll-over of interest to principal on a CD issued by SIBL? YES or NO.
  - 2a. If you answered “YES” to question number 2, provide the date and amount of each redemption, interest payment, or roll-over of interest to principal, and an explanation of what you did with the funds. If you transferred them to another account, provide account details. Submit all relevant documents.
  - 2b. If you answered “NO” to question number 2, proceed to question 3.
  
3. Aside from a transfer to purchase or sell a CD, have you ever transferred funds to or received funds from SIBL for any purpose? YES or NO.
  - 3a. If you answered “YES” to question number 3, provide the date and amount of each transaction, the purpose of the transaction, an explanation of what you did with the funds, and an explanation of why you think your account should be released from the Freeze Order. Submit all relevant supporting documents.
  - 3b. If you answered “NO” to question number 3, proceed to the Declaration to submit your application.

**If you are an applicant whose account falls under Account Category 2**, in addition to providing the information required of all applicants, you **must** provide a statement explaining either (1) why you think you should not be classified as a person who had any of the relationships to the Defendants or entities controlled by them as set forth in Category 2 above or (2) even if you were a person with such a relationship, why you think the Receiver should not view you as an account holder who has participated in or benefited from fraudulent activities. Submit documentation supporting your explanation.

## WARNING

Filing an Application for Review and Potential Release of Accounts is voluntary. You are not required to submit anything to the Receiver; however, **if you do not complete an application and follow all the procedures described in this notice, your account will not be eligible for release at this time and will remain frozen** unless and until the Receiver is able to determine that your account is eligible for release. By court order, the Receiver is obligated to provide the Securities and Exchange Commission and other governmental agencies with all information and documentation they may seek in connection with their regulatory or investigatory activities. **Consequently, if you complete an Application for Review and Potential Release of Accounts, the information you provide will be made available to the SEC, the Court, and possibly other U.S. governmental agencies (excluding the IRS and foreign equivalents, if the Receiver is able to withhold such information upon request).** Any information you provide to the Receiver will be deemed to be provided not only to the Receiver but also to the Court and the SEC. If you submit an Application for Review and Potential Release of Accounts, the Receiver (and the Court) will rely on the information and documentation you provide. **Consequently, you must be truthful and complete in your responses.** The information you submit may be cross-checked by the Receiver based on information obtained in his investigation.

If the Receiver files with the Court information you submit in a manner in which it might be accessible by the public, your personal identifying information (e.g., social security number or tax identification number) and personal contact information (name, phone number(s), email address(es), and physical address(es)) will be redacted and not accessible to the public.

## DECLARATION

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the information and documentation I am providing in and with this application, including in any attachments or supplements thereto, are true and accurate.

By filing this application, I submit to the exclusive jurisdiction of the United States District Court for the Northern District of Texas, Dallas Division and irrevocably waive any right I or any entity I control may otherwise have to object to any action being brought in the Court or to claim that the Court does not have jurisdiction over the matters relating to my account.

By filing this application, I signify that I understand and agree that if the Receiver releases any assets in my account(s) in reliance on the information and documentation I provided, and it is subsequently determined that (1) I have participated, or any entity I control has participated, in a

fraud with any Defendant or any Defendant's associates or any person(s) in active participation with them, or (2) I have received (knowingly or unknowingly) any assets and/or funds resulting from fraudulent activities or products at issue in the above-captioned case, I will cause such assets and/or funds to be returned promptly to the Receiver.

I AGREE [Submit button takes applicant to confirmation question]

Are you sure?

YES, I AM SURE [Clicking this button submits the application]