

# Stanford Financial Group Receivership

Ralph S. Janvey, Receiver

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December 11, 2009

VIA EMAIL TO [DPWINIKKA@JONESDAY.COM](mailto:DPWINIKKA@JONESDAY.COM)

Mr. Nigel Hamilton-Smith

Mr. Peter Wastell

c/o Dan Winikka, Esq.

Jones Day

2727 North Harwood Street

Dallas, Texas 75201

Dear Messrs. Hamilton-Smith and Wastell:

Thank you for your written cooperation proposal of November 11, 2009, which was communicated by Mr. Winikka, setting forth your ideas on how to resolve ongoing disputes over assets worldwide for the benefit of claimants against Stanford International Bank, Ltd. Although we too would like to reduce expenses to be borne by the victims of this fraud and would like to be able to reach a cooperation agreement with you, we are unable to do so on the terms you propose.

We have given significant time and attention to your proposal and some of what you suggest is very constructive. However, I am informed that the key condition precedent of your proposal -- approval by the relevant agencies of the U.S. Government -- cannot be met. We are advised that the funds and assets held in the UK, Canada, and Switzerland are currently subject to criminal freeze proceedings, and we have been advised by both the SEC and the DOJ that they would not agree to discontinue those proceedings (some of which also involve local criminal or civil regulatory agencies) to allow those assets to come under your control. Accordingly, because these funds and assets are frozen by third parties outside of our control we are not in any position to agree to your stated condition precedent.

Further complicating matters, as I am sure you remember, is our mandate to address the assets and liabilities not only of SIBL but also all other (currently more than 130) entities the defendants controlled, worldwide. We continue to find more entities and investments as we review additional records. Accordingly, it is critical that we establish our status as the recognized representative over all of these entities to ensure that we will obtain necessary records and control in order to effectively discharge our additional responsibilities.

We do agree with you that it would be sensible for the parties to agree to “distribute their respective assets in their respective proceedings without interference from the other party”. To that end and because you are the only party currently recognized in Antigua as the representative of SIBL and Stanford Trust Company Ltd., we propose the following:

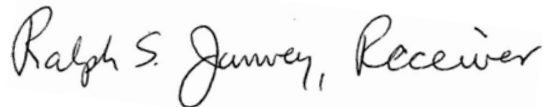
- 1) Each party will allow the civil and criminal governmental authorities to resolve the proper status of the remaining uncollected funds and assets in the UK,

Canada, and Switzerland and that both parties cease attempts to obtain control over such funds.

- 2) Each party will administer and distribute funds that may come under our respective control in due course. Specifically, we will administer all assets under U.S. control and you do the same for the assets located in Antigua and Barbuda.
- 3) Neither party will institute or prosecute litigation to interfere with the other's management or distribution of assets within the other's sphere of control.
- 4) The parties will work together to establish a protocol for sharing information that will facilitate the process of reviewing claims and aid in establishing a distribution plan to compensate those with claims against Stanford.

Further, we believe that once we are able to come to an agreement with regard to the cessation of asset acquisition attempts, it is in the interest of the claimants for us to work together as much as possible. Though there remain many details to work out, much of what you propose is constructive and, if our counter-proposal is acceptable to you, we will work with you to formalize an agreement.

Very truly yours,

A handwritten signature in cursive script that reads "Ralph S. Janvey, Receiver". The signature is written in black ink on a white background.

Ralph S. Janvey  
Receiver