

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

SECURITIES AND EXCHANGE COMMISSION, \*  
Plaintiff \*

VERSUS \* Case No. 3-09-CV-298-N  
\*

STANFORD INTERNATIONAL BANK, LTD., \*  
STANFORD GROUP COMPANY \*  
STANFORD CAPITAL MANAGEMENT, LLC \*  
R. ALLEN STANFORD, JAMES M. DAVIS, \*  
AND LAURA PENDERGEST-HOLT \*  
Defendants \*

\*\*\*\*\*  
**LOUISIANA RETIREES' MOTION FOR LEAVE AND ALTERNATIVE MOTION FOR  
INTERVENTION FOR LIMITED PURPOSE OF OBJECTING TO STAY REQUESTED  
IN JOINT MOTION OF THE SEC AND RECEIVER FOR ENTRY OF  
SECOND AMENDED ORDER APPOINTING RECEIVER (DOCKET ENTRY NO. 958)**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COMES NOW, Troy Lillie *et al.* (“collectively **Louisiana Retirees**”), who file this Motion for Leave and Alternative Motion for Intervention for the limited purpose of filing an objection to the Joint Motion of the SEC and Receiver for Entry of Second Amended Order Appointing Receiver (Docket Entry No. 958).<sup>1</sup>

Undersigned counsel for Troy Lillie, *et al.*, Phillip W. Preis, has appeared in *Janvey v. Alguire* on behalf of Relief Defendants in this court and filed answers on behalf of Investor Defendants in the *Alguire* matter. (See Docket Entry No. 38 for Pro Hac Vice Admission in *Alguire* and Docket Entry No. 41 in *Alguire* for Notice of Cross Appeal previously filed; see also Docket

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<sup>1</sup>Intervenors are plaintiffs in the Becker, Starkey, Roland, Farr, and Lillie Cases, along with the Investor Defendants in the case identified as *Janvey v. Alguire, et al.*, Docket No. 3:09-CV-724 in the U.S. District Court, Northern District of Texas, as more particularly defined in the Appendix submitted in support of the Memorandum in Opposition to the Joint Motion for the SEC and Receiver for Entry of Second Amended Order Appointing Receiver by the Louisiana Retirees.

Nos. 153, 160, and 242 in *Alguire*). Further, undersigned counsel, Phillip W. Preis, has also appeared at the United States Fifth Circuit Court of Appeals on behalf of Relief Defendants in the matter entitled "*Ralph S. Janvey v. James R. Alguire, et al.*", Docket No. 09-10761, U.S. 5<sup>th</sup> Circuit Court of Appeals. It is unclear to counsel as to whether a motion to intervene is required given the past appearances before this Court and the Fifth Circuit. In an abundance of precaution, a motion to intervene has been filed for the limited purposes of addressing the impact of the stay requested by the Receiver pursuant to the order of this court dated March 12, 2009.

In support thereof, Louisiana Retirees contemporaneously file a Memorandum in Support of their Motion to Intervene and Leave to file objection to the Joint Motion of the SEC and Receiver for Entry of Second Amended Order Appointing Receiver (See Exhibit A) along with the accompanying Appendix in Support thereof. It is readily apparent that both this instant litigation, the Louisiana Retiree Litigation and *Alguire* case are intimately related and involved many of the same issues involving claims against the parties. This is also illustrated by the previously merged hearings held in the past and the multiple parties who have supplemented their records on appeal at the U.S. Fifth Circuit Court of Appeal using various pleadings from both cases. (See Exhibit B). The accompanying Memorandum in Support demonstrates that the Louisiana Retirees have a substantial interest which will be impaired if the SEC and Receiver's Joint Proposed Order is granted by this Honorable Court.

#### PRAYER

**WHEREFORE**, Louisiana Retirees respectfully move this Court for entry of an Order granting the Louisiana Retirees' Motion for Leave and Alternative Motion for Intervention for the

limited purpose of filing an objection to the Joint Motion of the SEC and Receiver for Entry of Second Amended Order Appointing Receiver and Brief in Support thereof.

Respectfully submitted by:

**PREIS GORDON, APLC**

s/Phillip W. Preis  
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**CERTIFICATE OF CONFERENCE**

The undersigned has been unable to reach the SEC or Receiver to discuss this matter but anticipates they will oppose this motion.

s/Phillip W. Preis  
Phillip W. Preis

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 3, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following ECF participants or by such other means as authorized by the Court and the Federal Rules of Civil Procedure.

s/Phillip W. Preis  
Phillip W. Preis