

The SEC alleges that the Stanford Defendants perpetrated an \$8 billion fraudulent scheme by promising high return rates on “certificates of deposits” that exceeded those available through true certificates of deposits offered by traditional banks. The Court found good cause to believe that the Stanford Defendants violated federal securities laws and entered a Temporary Restraining Order, Order Freezing Assets, Order Requiring an Accounting, Order Requiring Preservations of Documents, and Order Authorizing Expedited Discovery. (Doc. 8) On the same day, the Court appointed Ralph S. Janvey to act as receiver over all the assets of the Stanford Defendants and all the entities they own or control. (Doc. 10). Pursuant to 28 U.S. C. § 754, the Receiver filed the Complaint and Order Appointing Receiver in this District in case no. 4:09-mc-73.

The Order Appointing Receiver enjoins any legal proceeding touching on the same subject matter of the SEC’s case in any court except the Northern District of Texas:

7. Creditors and all other persons are hereby restrained and enjoined from the following actions, except in this Court, unless this Court, consistent with general equitable principles and in accordance with its ancillary equitable jurisdiction in this matter, orders that such actions may be conducted in another forum or jurisdiction:

(a) The commencement or continuation, including the issuance or employment of process, of any judicial, administrative, or other proceeding against the Receiver, any of the defendants, the Receivership Estate, or any agent, officer, or employee related to the Receivership Estate, arising from the subject matter of this civil action;

(b) The enforcement, against the Receiver, or any of the defendants, of any judgment that would attach to

or encumber the Receivership Estate that was obtained before the commencement of this proceeding.

Order Appointing Receiver (Doc. 10) at 6, ¶7.

On February 19th John Cohron filed this case against the same Stanford Defendants as the SEC action. The summons was issued to all defendants on February 20th. Pursuant to this Court's standard operating procedures, the parties have been ordered to file a certificate of interested parties by March 9th, to file a joint discovery/management plan by March 27th, and an initial scheduling conference is set for April 3rd.

The Receiver requests that this case be abated in its entirety until Judge Godbey grants or denies leave to proceed in this Court. In particular, the Receiver requests that the parties be excused from filing answers, from filing their certificates on March 9th, from filing a joint discovery/case management plan on March 27th, and from appearing for the initial scheduling conference on April 3rd, unless Judge Godbey has granted Plaintiffs' leave to proceed in this Court by that date.

Dated: March 9, 2009

Respectfully submitted,

BAKER BOTTS L.L.P.

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**ATTORNEYS FOR RECEIVER
RALPH S. JANVEY**

Certificate of Conference

I certify that on March 9, 2009 I conferred with Richard Norman, counsel for Plaintiffs who stated that he could not join in this motion but would file a motion to abate on behalf of Plaintiffs. Therefore, this motion is opposed.

/s/ Susan Dillon Ayers
Susan Dillon Ayers

CERTIFICATE OF SERVICE

On March 9, 2009, I electronically submitted the foregoing Joint Motion to Abate and the proposed order with the clerk of court for the U.S. District Court, Southern 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/ Susan Dillon Ayers
Susan Dillon Ayers

4. The parties are excused from filing their certificates of interested parties on March 9, 2009;
5. The parties are excused from filing a joint discovery/management plan on March 27, 2009;
6. The initial scheduling conference set for April 3, 2009 is cancelled.

So Ordered and signed, this ____ day of March 2009.

HONORABLE LEE ROSENTHAL
UNITED STATES DISTRICT JUDGE