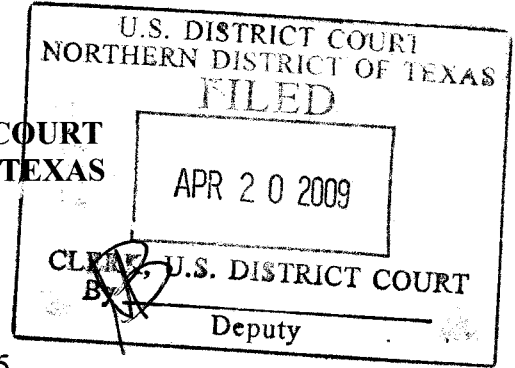


N. W. Petition
ORIGINAL

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



-----X
 :
 In re : Chapter 15
 :
 Stanford International Bank, Ltd., : Case No. 09-____ (____)
 :
 Debtor in a Foreign Proceeding. :
 :
 -----X

3-09CV0721-N

**MOTION TO REFER PETITION FOR RECOGNITION
PURSUANT TO CHAPTER 15 OF THE BANKRUPTCY CODE
AND RELATED PLEADINGS TO THE BANKRUPTCY COURT**

Messrs. Nigel Hamilton-Smith and Peter Wastell (collectively, the "Liquidators"), individuals and citizens of the United Kingdom acting in their capacity as the duly-appointed liquidators of Defendant Stanford International Bank, Ltd. ("SIB"), an international bank formed pursuant to the laws of Antigua and Barbuda, respectfully request that the Court enter an order referring the Liquidators' Official Form Petition, Petition for Recognition of Foreign Main Proceeding Pursuant to Chapter 15 of the Bankruptcy Code, Memorandum of Law in Support of Petition for Recognition of Foreign Main Proceeding Pursuant to Chapter 15 of the Bankruptcy Code and Declaration of Nigel Hamilton-Smith in Support of the Petition for Recognition of a Foreign Main Proceeding Pursuant to Chapter 15 of the Bankruptcy Code (collectively, the "Chapter 15 Pleadings") to the United States Bankruptcy Court for the Northern District of Texas, Dallas Division (the "Bankruptcy Court").

Although bankruptcy petitions and related pleadings are typically filed in the bankruptcy court, the Liquidators have initially filed the Chapter 15 Pleadings in this Court because of the provisions in this Court's Amended Receivership Order (the "Amended Order") that enjoin

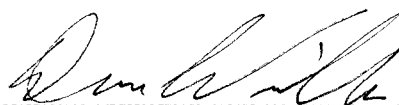
parties from (a) filing a chapter 15 petition without leave of this Court, and/or (b) seeking relief from that provision for 180 days. The Chapter 15 Pleadings are a necessary predicate for the Liquidators to appear in, and seek the cooperation of, U.S. courts, and the Liquidators are concurrently requesting that the provisions of the Amended Order enjoining the filing of a chapter 15 petition be vacated. Because chapter 15 petitions are typically considered in the first instance by bankruptcy courts, however, the Liquidators request that the Court refer the Chapter 15 Pleadings to the Bankruptcy Court.

Although this Court has original and exclusive jurisdiction of all bankruptcy cases, this Court also has the authority to refer bankruptcy cases to the bankruptcy courts. 28 U.S.C. § 157. Indeed, there is a standing order in the Northern District of Texas automatically referring all bankruptcy cases to the bankruptcy courts in the district. Misc. Order No. 33. Referral is particularly appropriate in the context of a chapter 15 petition, because Congress specifically intended that bankruptcy courts serve as the initial arbiter of whether recognition should be granted to foreign insolvency proceedings and foreign representatives. *Iida v. Kitahara (In re Iida)*, 377 B.R. 243, 257 (B.A.P. 9th Cir. 2007) ("Congress specifically intended that control of these questions be concentrated in the bankruptcy court.").

For these reasons, the Liquidators respectfully request that the Court enter an order referring the Chapter 15 Pleadings to the Bankruptcy Court.

Dated: April 20, 2009.

Respectfully submitted,



Weston C. Loegering

State Bar No. 12481550

Gregory Gordon

State Bar No. 08435300

Craig F. Simon

State Bar No. 00784968

Greg Weselka

State Bar No. 00788644

Daniel P. Winikka

State Bar No. 00794873

JONES DAY

2727 N. Harwood St.

Dallas, Texas 75201

Telephone: (214) 220-3939

Facsimile: (214) 969-5100

ATTORNEYS FOR THE LIQUIDATORS

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

-----X
In re : Chapter 15
Stanford International Bank, Ltd., : Case No. 09-____ (____)
Debtor in a Foreign Proceeding. :
-----X

**[PROPOSED] ORDER GRANTING REFERRAL OF
BANKRUPTCY PLEADINGS TO BANKRUPTCY COURT**

On this day the Court considered the Motion to Refer Petition for Recognition Pursuant to Chapter 15 of the Bankruptcy Code and Related Pleadings to the Bankruptcy Court filed by movants Nigel Hamilton-Smith and Peter Wastell, individuals and citizens of the United Kingdom acting in their capacity as the duly-appointed Liquidators of Stanford International Bank, Ltd., an international bank formed pursuant to the laws of Antigua and Barbuda. The Court has concluded that the motion is well taken and should be granted.

It is therefore ORDERED that the Liquidators' Official Form Petition, Petition for Recognition of Foreign Main Proceeding Pursuant to Chapter 15 of the Bankruptcy Code, Memorandum of Law in Support of Petition for Recognition of Foreign Main Proceeding Pursuant to Chapter 15 of the Bankruptcy Code and Declaration of Nigel Hamilton-Smith in Support of the Petition for Recognition of a Foreign Main Proceeding Pursuant to Chapter 15 of the Bankruptcy Code shall be referred to the United States Bankruptcy Court for the Northern District of Texas, Dallas Division.

Nothing in this Order shall limit the Liquidators' right to seek further or additional relief to which they may be entitled.

Dated: April __, 2009.

UNITED STATES DISTRICT JUDGE

DLI-6246019v3

**United States District Court
Northern District of Texas**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):
Stanford International Bank, Ltd.

Name of Joint Debtor (Spouse) (Last, First, Middle):

All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):
None

All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):

Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN. (if more than one, state all):
N/A

Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN. (if more than one, state all):

Street Address of Debtor (No. & Street, City, State & Zip Code):
No. 1 Pavilion Drive
PO Box W1753
St. John's, Antigua, West Indies
ZIP CODE N/A

Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
3-09CV0721-N
ZIP CODE

County of Residence or of the Principal Place of Business:
St. John's, Antigua

County of Residence or of the Principal Place of Business:

Mailing Address of Debtor (if different from street address):

Mailing Address of Debtor (if different from street address):

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
APR 20 2009
MB per CW
CLERK, U.S. DISTRICT COURT
By _____
Deputy

305603

ZIP CODE

Location of Principal Assets of Business Debtor (if different from street address above):

ZIP CODE

Type of Debtor (Form of Organization) (Check one box.)

Individual (includes Joint Debtors) See Exhibit D on page 2 of this form

Corporation (includes LLC and LLP)

Partnership

Other (If debtor is not one of the above entities, check this box and provide the information requested below.)

Nature of Business (Check one box.)

Health Care Business

Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B)

Railroad

Stockbroker

Commodity Broker

Clearing Bank

Other

Tax-Exempt Entity (Check Box, if applicable)

Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code.)

Chapter of Bankruptcy Code Under Which The Petition is Filed (Check one box)

Chapter 7

Chapter 9

Chapter 11

Chapter 12

Chapter 13

Chapter 15 Petition for Recognition of a Foreign Main Proceeding

Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding

Nature of Debts (Check one box)

Debts are primarily consumer debts, defined in 11 U.S.C. § 191(8) as "incurred by an Individual primarily responsible for a Personal, family, or household purpose."

Debts are primarily business debts.

Filing Fee (Check one box)

Full Filing Fee attached.

Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.

Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.

Chapter 11 Debtors

Check one box:

Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).

Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).

Check if:

Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190.00.

Check all applicable boxes:

A plan is being filed with this Petition.

Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126 (b).

Statistical/Administrative Information

Debtor estimates that funds will be available for distribution to unsecured creditors.

Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors (on a consolidated basis)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	Over 100,000

Estimated Assets (on a consolidated basis)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50 million to \$100 million	\$100 million to \$500 million	\$500,000.001 to \$1 billion	More than \$1 billion

Estimated Liabilities (on a consolidated basis)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50 million to \$100 million	\$100 million to \$500 million	\$500,000.001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

B.1 (Official Form 1) (1/08)		FORM B1, Page 3
Voluntary Petition <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): Stanford International Bank, Ltd.	
Signatures		
<p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.</p> <p>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (if not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;">Signature of a Foreign Representative</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ (Signature of Foreign Representative)</p> <p><u>Nigel Hamilton-Smith</u> (Printed Name of Foreign Representative)</p> <p><u>April 20, 2009</u> Date</p>	
<p style="text-align: center;">Signature of Attorney</p> <p>X _____ Signature of Attorney for Debtor</p> <p>Gregory M. Gordon (TX 08435300) Weston C. Loegering (TX 12481550) Daniel P. Winikka (TX 00794873) Greg L. Weselka (TX 00788644) Craig F. Simon (TX 00784968) Jones Day 2727 N. Harwood Street Dallas, Texas 75201 Tel: (214) 969-3939 Fax: (214) 969-5100</p> <p><u>April 20, 2009</u> Date</p> <p><small>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p style="text-align: center;">Signature of Non-Attorney Bankruptcy Petition Preparer</p> <p>I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)</p> <p>_____ Address</p> <p>X _____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.</p> <p>Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both (11 U.S.C. § 110; 18 U.S.C. § 156).</i></p>	
<p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Authorized Individual</p> <p>_____ Printed Name of Authorized Individual</p> <p>_____ Title of Authorized Individual</p> <p>_____ Date</p>		