

TROY LILLIE, ET AL.

VERSUS

STANFORD TRUST COMPANY,
ET AL.

NUMBER 581,670 SECTION 24

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

**PARTIAL SUMMARY JUDGMENT DISMISSING CLAIMS ARISING OUT OF
ENFORCEMENT OF THE LOUISIANA SECURITIES ACT, La. R.S. 51:701 et seq.**

This matter was set for a hearing via Zoom teleconferencing on Monday, September 27, 2021, at 2:30 p.m. before the Honorable Donald R. Johnson on the Motion for Partial Summary Judgment filed by Defendant, The State of Louisiana, Office of Financial Institutions.

Appearing at the hearing were the following counsel:

- Phillip W. Preis and Crystal D. Burkhalter for Plaintiffs IRA Class Members, Troy Lillie, *et al.*; and
- Michael D. Hunt, Shelton Dennis Blunt, and Monica M. Vela-Vick for Defendant, State of Louisiana through the Office of Financial Institutions as a Private Attorney General.

This is a lawsuit brought by Plaintiffs Troy Lillie, *et al.*, class representatives and class members of three sub-classes of investors who claim losses resulting from the purchase of certificates of deposit issued by Stanford International Bank (“Plaintiffs”). Plaintiffs assert tort claims against the Louisiana Office of Financial Institutions (“OFI”). These claims include claims arising out of OFI’s regulation of securities pursuant to the Louisiana Securities Act, La. R.S. 51:701 *et seq.* (“LSL”).

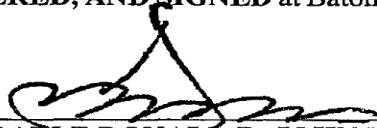
OFI has moved for a partial summary judgment seeking the dismissal of all of Plaintiffs’ against it that are premised upon OFI’s authority to regulate securities under the LSL. The only issues presented to the Court for adjudication concern (1) whether OFI owed Plaintiffs any duty under the LSL, and (2) if such a duty is owed, whether OFI enjoys absolute immunity for the exercise of its authority under the LSL. Plaintiffs have filed an opposition to OFI’s motion for partial summary judgment.

At the conclusion of the hearing, the Court took the matter under advisement, and directed the parties to submit proposed findings of fact and conclusions of law. Considering the pleadings, the summary judgment record, the evidence submitted with the motion and the evidence not objected to in the opposition, the arguments of counsel, the parties’ proposed findings of fact and conclusions of law, and the applicable law, the Honorable Donald R. Johnson ruled as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that OFI's motion for partial summary judgment lacks merit and should be **DENIED**. Accordingly,

The Court adopts the plaintiffs' proposed *sealed* (emphasis mine) findings of fact and conclusions of law as written reasons.

JUDGMENT READ, RENDERED, AND SIGNED at Baton Rouge, Louisiana this 22nd day of October, 2021.



THE HONORABLE DONALD R. JOHNSON
19TH JUDICIAL DISTRICT JUDGE

Please Send and Serve All Counsel of Record

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I HEREBY CERTIFY THAT ON THIS DAY A COPY OF THE WRITTEN REASONS FOR JUDGMENT / JUDGMENT / ORDER / COMMISSIONER'S RECOMMENDATION WAS MAILED BY ME WITH SUFFICIENT POSTAGE AFFIXED. SEE ATTACHED LETTER FOR LIST OF RECIPIENTS.

DONE AND MAILED ON October 28, 2021

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