

**TROY LILLIE, et al.,
Plaintiffs**

DOCKET NO. 581670 SECTION 24

19th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON

**STANFORD TRUST COMPANY, et al.
Defendant**

STATE OF LOUISIANA

NOTICE OF PENDENCY OF CLASS ACTION

A Louisiana state court has authorized this notice. This is not a solicitation from a lawyer.

PLEASE READ THIS NOTICE CAREFULLY AND IN ITS ENTIRETY. YOU MAY BE A MEMBER OF THE CLASS AND YOUR RIGHTS MAY BE AFFECTED BY A CLASS ACTION LAWSUIT PENDING IN THIS COURT.

This Notice is being sent pursuant to Article 592 of the Louisiana Code of Civil Procedure and Orders of the Nineteenth Judicial District Court for the Parish of East Baton Rouge, State of Louisiana (the “Court”), and pursuant to Louisiana law. Notice is being sent to inform you:

The record indicates that you or your IRA Account may have purchased a Stanford International Bank Certificate of Deposit (“SIB CD”) through the Stanford Trust.

This Class Action was filed on your behalf on August 20, 2009.

The Class was certified by the State District Court as a class action on December 17, 2012. The ruling on the class certification was affirmed by the First Circuit Court of Appeals for the State of Louisiana on November 11, 2017 in the decision entitled *Lillie v. Stanford Tr. Co.*, 2013-1995 (La. App. 1 Cir. 11/1/17), 235 So. 3d 1139 (“*Lillie*”).

The Case is currently set to be heard by a Jury in a two-week trial beginning July 22, 2024.

1. The “Class,” as certified by the Court, consists of:

- (i) persons who purchased SIB CDs in Louisiana between January 1, 2007, and February 13, 2009;
- (ii) persons who renewed any SIB CD in Louisiana between January 1, 2007 and February 13, 2009; or
- (iii) any person for whom the Stanford Trust purchased SIB CDs in Louisiana between January 1, 2007 and February 13, 2009.

The Class Members in this case are limited to persons who, between January 1, 2007, and February 13, 2009 (the “Class Period”), purchased or renewed an SIB CD within the State of Louisiana. Simply having an SIB CD in an IRA Account for which Stanford Trust was the custodian during the Class Period does not make you a class member. You are a class

member only if, at the time of the purchase or renewal of an SIB CD during the Class Period, you resided in or were present in the State of Louisiana; or the purchase or renewal of an SIB CD was made on your behalf, in the State of Louisiana, by Stanford Trust. A person who purchased an SIB CD in another state, and then afterwards placed the SIB CD in a self-directed IRA Account maintained by Stanford Trust (so that Stanford Trust could serve as the third-party custodian of that account as required by the Internal Revenue Code), is not a Class Member.

2. This Notice is directed to you because you may be a member of the Class. You are receiving this notice because the Stanford Trust may have purchased or renewed a SIB CD for your IRA account, pension plan or other trust account. If you are a member of the Class, your rights will be affected by this Action.
3. The Office of Financial Institutions ("OFI"), an agency of the State of Louisiana, is the defendant in this case. OFI examined Stanford Trust from 2001 until 2009. OFI denies any wrongdoing in this Action and maintains that it did nothing wrong and is not liable for the harm alleged by Plaintiffs. This Notice is not an expression of any opinion of the Court concerning the merits of the Action or a finding by the Court that the claims asserted by Lead Plaintiffs in the case are valid. This Notice is intended to advise you of the pendency of the Action and of your rights in connection with it. The jury trial for this case is scheduled to start on July 22, 2024.

OVERVIEW AND STATUS OF THIS ACTION

4. Plaintiffs filed suit against OFI and others in Louisiana state court in a lawsuit entitled, "*Troy Lillie, et al. v. Stanford Trust Company, et al.*," No. C581670 Section 24 on August 20, 2009, in the Nineteenth Judicial District Court, Parish of East Baton Rouge, State of Louisiana. The lawsuit was filed by numerous individuals seeking recovery individually ("Lead Plaintiffs"), as well as for others similarly situated. A copy of the lawsuit can be found on the website at www.stanfordtrustclassaction.com. Plaintiffs allege that the Stanford entity at issue in this litigation is the Stanford Trust which was chartered in Louisiana. Stanford Trust acted as custodian or trustee for some investors' (including Plaintiffs') IRAs holding SIB CDs. The Office of Financial Institutions annually examined the Stanford Trust.
5. Plaintiffs sought class certification in district court under Louisiana procedural rules of a class consisting of all persons: (a) who purchased SIB CDs in Louisiana between January 1, 2007, and February 13, 2009; (b) who renewed any SIB CDs in Louisiana during that same time period through the Stanford Trust and (c) any person for whom the Stanford Trust purchased SIB CDs in Louisiana between January 1, 2007 and February 13, 2009. After the parties engaged in discovery, the District Court held a two-day hearing in September 2012 about whether the Action should be certified as a class action.
6. On December 17, 2012, the District Court issued a judgement certifying the Class Action. OFI appealed the state district court's class certification decision. On November 1, 2017, the Louisiana First Circuit Court of Appeals issued a Judgment and Opinion affirming the District Court's order of class certification. *Lillie v. Stanford Tr. Co.*, 2013-

1995 (La. App. 1 Cir. 11/1/17), 235 So. 3d 1139. OFI filed a writ of certiorari with the Louisiana Supreme Court, which was denied on February 5, 2018.

7. Class Counsel has elected to limit the claims in this case to claims of willful and reckless conduct by OFI. Consequently, proof of simple negligence will be insufficient to permit a recovery from OFI. Only proof that OFI's conduct was willful or reckless will justify a recovery from OFI in this lawsuit.
8. On May 11, 2023, District Court Judge Donald Johnson of the Nineteenth Judicial District Court for the Parish of East Baton Rouge, State of Louisiana set the trial date in this matter for July 22, 2024.

YOUR RIGHTS IF YOU ARE OR WERE A CLASS MEMBER

9. A class action is a type of lawsuit in which one or several individuals or entities prosecute claims on behalf of all members of a group of similarly situated persons or entities to obtain monetary or other relief for the benefit of the entire group. Class actions may avoid the necessity of each member of a class having to file his, her, or its own separate lawsuit to obtain relief. Class actions are used to decide legal and factual issues that are common to all members of a class.
10. This Notice is directed to you because you may be a member of the Class. If you are a member of the Class, your rights will be affected by this Action. If you are uncertain whether you are a member of the Class, contact Class Counsel listed in paragraph 21 below, or your own attorney.
11. If you are a member of the Class, you have the right to decide whether to remain a member of the Class. ***If you desire to remain a member of the Class, you do not need to do anything at this time.*** You may be requested to provide information to Class Counsel or authorize Class Counsel to obtain the information from the Stanford Receivership.
12. If you are a member of the Class and wish to be excluded from the Class, you must request exclusion in accordance with the procedure set forth in paragraph 17, below. Your decision is important for the following reasons.
13. **If you are and choose to remain a member of the Class**, you will be bound by all past, present, and future orders and judgments in the Action, whether favorable or unfavorable. If any money is awarded to the Class, either through a settlement with OFI or a judgment of the Court, you may be eligible to receive a share of that award, subject to all applicable law.
14. Please note that if you remain a member of the Class, you will not be personally responsible for Class Counsel's attorneys' fees or costs. Class Counsel has agreed to represent the Class on a contingency fee basis, which means that they will be awarded fees and costs only if they succeed in obtaining a recovery from OFI. Any attorneys' fees for Class Counsel will be awarded by the Court from the fund created by the settlement or judgment, if any, obtained on behalf of the Class. If there is no recovery for the Class, Class Counsel will receive nothing. As a member of the Class, you will be represented by Class Counsel.

You may remain a member of the Class and elect to be represented by counsel of your own choosing. Any member who does not request exclusion, may, if the member desires, enter an appearance through counsel at that member's expense. La. C.C.P. Art 592(B)(2)(d).

15. **If you choose to be excluded from the Class**, you will not be bound by any judgment as to the Class in this Action nor will you be eligible to share in any recovery that might be obtained for the Class in this Action. You will retain any right you have individually to pursue any legal rights that you may have against OFI with respect to the claims asserted in this Action.
16. If you elect to opt out of this class action in accordance with the procedures set forth in paragraph 17, and were to bring a subsequent claim in state or federal court, a court may determine that a new claim filed by you has not been filed timely and that the original filing of the class action did not toll the statute of limitations on the new claim. You should consult your own counsel on this important issue before electing not to be a member of this Class. The law relating to the timeliness of the claims that is applicable to your claims would vary from state to state and claim to claim.

HOW TO BE EXCLUDED FROM THE CLASS

17. If you wish to be excluded from the Class, you must specifically request exclusion in accordance with the following procedures. To exclude yourself from the Class, you are required to execute and complete the form attached hereto as **Exhibit A** and return it either by first-class mail or as a pdf document attached to an email to Class Counsel stating that you request exclusion from the Class in *Troy Lillie, et al. v. Stanford Trust Company, et al.*, Docket No. 581670, Sec. 24, 19th Judicial District, Parish of East Baton Rouge, State of Louisiana. Note, for the exclusion to be valid, **Exhibit A must be signed by the person or entity requesting** an exclusion or an authorized representative. You must mail or email your exclusion request **no later than 30 days from the date this notice is postmarked.**
to:

Stanford Trust Class Action Litigation
Exclusions
P.O. Box 2786
Baton Rouge, Louisiana 7082

or if emailed, to *marilyn@preislaw.com*.

You cannot exclude yourself from the Class by telephone and a request for exclusion shall not be effective unless it contains all the information required by this paragraph and is postmarked or emailed to Class Counsel by the date stated above or is otherwise accepted by the Court.

18. If your request for exclusion complies with the requirements set forth in paragraph 17, you will not be bound by any judgment in this Action, nor will you be eligible to share in any recovery that might be obtained in this Action.

19. **Do not request exclusion from the Class if you wish to participate in this Action as a member of the Class. Do not return Exhibit A if you wish to participate in this Action as a member of the Class.**

PRESCRIPTION

20. A request for exclusion from the class pursuant to the procedures set forth in paragraph 17 in this Notice shall constitute an “election form” as contemplated by Louisiana Code of Civil Procedure Article 596(A). Former class members who attempt to assert claims in the future against the Defendants in a separate action or actions and for whom the Louisiana law of prescription may apply should know to the extent that prescription under Louisiana law applies to any claim you may assert in the future, that time for prescription may begin to run again thirty days after mailing of this Notice.

Please understand that the question of what law may govern the timeliness of any future claim you may wish to assert may vary depending on a variety of factors, including but not limited to your state of residence, the location of the transaction, the substantive claim(s) asserted, and the forum in which you may bring the future action. The principle outlined above may or may not apply to your claims, but the notification described above is required by, or applicable to, prescription under Louisiana law.

CLASS COUNSEL

21. Preis Gordon, APLC (“Preis Gordon”), Baton Rouge, Louisiana, has been appointed Class Counsel based upon their past experience in similar litigation with similar legal claims. Preis Gordon has worked on this Action since August 2009 and has spent considerable time and resources identifying and pursuing these claims and other claims in state and federal courts at every level including the United States Supreme Court. The address of Preis Gordon is as follows:

PREIS GORDON, APLC
P.O. Box 2786
Baton Rouge, Louisiana 70821-2786

If you have any questions, please email Class Counsel at marilyn@preislaw and your communication will be addressed. If you would like a return telephone call, please leave your phone number.

22. As noted above, unless you elect to retain your own personal lawyer, by remaining in the Class, you will not subject yourself to any direct obligations to pay the costs of the litigation. In the event there is a recovery by the Class in this Action, all costs and expenses of the Action, including Class Counsel’s attorneys’ fees, will be paid from that recovery in an amount approved by the Court.

PLEASE KEEP YOUR ADDRESS CURRENT

23. To assist the Court and the parties in maintaining accurate lists of Class members, you are requested to notify Class Counsel of your preferred phone number and email address.

Please send this information by mail or email to the addresses set forth below. In addition, mail or email any notice of any changes in your address to:

Stanford Trust Class Action Litigation

P.O. Box 2786
Baton Rouge, Louisiana 70821
marilyn@preislaw.com

24. If this Notice was forwarded to you by the postal service, or if it was otherwise sent to you at an address that is not current, you should immediately contact marilyn@preislaw.com and provide Class Counsel with your correct address. If Class Counsel does not have your correct address, you may not receive notice of important developments in this Action.

WHERE YOU CAN FIND ADDITIONAL INFORMATION

25. This Notice gives only a summary of the lawsuit and the claims asserted by Lead Plaintiffs. For copies of the Court's decisions discussed in this Notice, you may visit www.stanfordtrustclassaction.com.

Honorable Donald R. Johnson
District Court Judge
19th Judicial District Court
Parish of East Baton Rouge
State of Louisiana

EXHIBIT A TO NOTICE OF PENDENCY OF CLASS ACTION
EXCLUSION FROM CLASS ACTION

Please exclude me from the Class in *Troy Lillie, et al. v. Stanford Trust Company, et al.*, Docket No. 581670, Section 24, 19th Judicial District Court, East Baton Rouge Parish, State of Louisiana.

I understand that by signing this form and returning it to the address printed below that I am excluding myself from any relief that may be obtained on behalf of the Class in this class action lawsuit, and that I will not be bound by any judgment as to the Class issued in this lawsuit.

Please retain a copy of this page for your records once you have signed it and mailed it to Class Counsel at the address printed below.

You must mail or email your exclusion request 30 days from the postmark date of the notice to:

Stanford Trust Class Action Litigation
Exclusions

P.O. Box 2786

Baton Rouge, Louisiana 70821

or

Email a pdf copy of executed Exhibit A to:

Marilyn@preislaw.com

(DATE)

Signature

Printed Name

Telephone Number (Optional)

Email Address