

CAUSE NO. _____

SUSAN STANFORD	§	IN THE DISTRICT COURT
	§	
V.	§	OF HARRIS COUNTY TEXAS
	§	
NANCY ROMMELMANN, d/b/a	§	
THE LAW OFFICES OF NANCY	§	
ROMMELMAN, PAVLAS,	§	
BROWN & YORK, L.P.P.,	§	____ JUDICIAL DISTRICT COURT

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE AND JURY OF SAID COURT:

NOW COMES, SUSAN STANFORD, Plaintiff, and for cause of action would respectfully show the Court and Jury as follows:

Discovery Control Plan

1. Discovery in this case is intended to be conducted under Level 3 of Rule 190, Texas Rules of Civil Procedure.

Parties

2. Plaintiff is a resident of Harris County.
3. Defendant, Nancy Rommelman d/b/a The Law Offices of Nancy Rommelmman, is a licensed attorney in the State of Texas. Her business address is 3040 Post Oak Boulevard, Suite 1020, Houston, Texas 77056. She may be served with process at her business location.
4. Defendant, Pavlas, Brown, & York, L.L.P., is a Texas limited liability partnership. It is located at 3040 Post Oak Boulevard, Suite 1020, Houston, Texas 77056. It may be served at that business location.

Jurisdiction and Venue

5. The subject matter in controversy is within the jurisdictional limits of this Court. All parties are Texas residents and the incidents giving rise to this suit occurred in Harris County, Texas. Defendants herein are also domiciled in this county. Further, all parties reside and/or do business in Harris County, Texas. Thus, venue is appropriate pursuant to §15.002 Texas Civil Practice & Remedies Code.

Facts

6. Plaintiff is the wife of R. Allen Stanford. Mr. Stanford is the sole shareholder of the Houston based Stanford Financial Group. After 34 years of marriage, Plaintiff filed for divorce from Mr. Stanford. She retained Defendant, Nancy Rommelman, to represent her in this divorce action. Ms. Rommelman's physical office is contained inside the offices of Defendant, Pavlas, Brown & York, L.L.P. On or about November 5, 2007, Plaintiff filed for divorce.

7. During the course of her representation of Plaintiff in the divorce proceedings, and likely as a result of the very large value of the marital estate, Ms. Rommelman further engaged John Pavlas of Defendant, Pavlas, Brown & York, L.L.P., to assist her with the divorce case. Although Plaintiff had no express contract directly with Pavlas, Brown & York, L.L.P., on information and belief, either a contract existed in fact between Defendants regarding their joint representation of Plaintiff, or they were operating as a joint enterprise.

8. In January 2008, a hearing regarding Temporary Orders was conducted in Plaintiff's divorce case. At the hearing, Plaintiff was specifically represented by Ms. Rommelman and Mr. Pavlas. During the course of this hearing, Mr. Stanford's attorney, Bucky Allshouse, made a verbal

offer of settlement to Ms. Rommelman and Mr. Pavlas. The offer of settlement was for Mr. Stanford to pay Plaintiff \$200 million dollars plus for her share of the community property estate.¹ Plaintiff was not only unaware that such offer was made, but she was never apprised of the offer by either of her attorneys.

9. On February 20, 2009, Mr. Allshouse sent a letter to Ms. Rommelman withdrawing the offer of settlement. Shortly thereafter, Plaintiff became aware of the offer, questioned why it was never disclosed, and terminated Defendants as her counsel. Unfortunately, by the time Plaintiff became aware of the offer, the substantial community property/assets at issue in her divorce proceedings were seized and/or frozen by the Securities Exchange Commission (SEC).

10. If Plaintiff had been made aware of the substantial sum offered as settlement in her divorce proceedings, she would have readily accepted. Because she was never afforded such opportunity, much less even told of the offer's existence, and because all her community property assets are now at the mercy of the SEC, Plaintiff has suffered significant damages.

Legal Theories and Causes of Action

11. *Negligence*: In failing to convey a legitimate settlement offer to Plaintiff, Defendants breached the duty of care that should be exercised by a reasonably prudent attorney in representing a client. Such breach proximately caused Plaintiff's damages.

12. *Breach of Fiduciary Duty*: As her attorneys, Defendants owed Plaintiff a fiduciary duty. Because Defendants failed to act with abundant good faith, perfect candor, openness, honesty,

¹ This figure is not a typo. Mr. Stanford was an exceedingly successful international businessman who stockpiled most, or all, of his fortune during his marriage with Plaintiff.

and without concealment or deception, she breached that duty. As a result of their breach, Plaintiff suffered damages.

Damages

13. As a direct result of Defendants' actions, Plaintiff has suffered damages and seeks the following:

- A. Actual damages of \$200 million plus;
- B. Fee forfeiture and reimbursement of all fees paid to Defendant;
- C. Both prejudgment and post judgment interest;
- D. Costs of Court;
- E. Attorney's fees

Jury Demand

14. Plaintiff requests a trial by jury. With this lawsuit, Plaintiff has deposited the required fee with the District Clerk.

Request for Disclosure

15. Pursuant to Rule 194, Defendants are requested to disclose, within fifty (50) days of service of this request, the information or material described in Rule 194.2 of the Texas Rule of Civil Procedure.

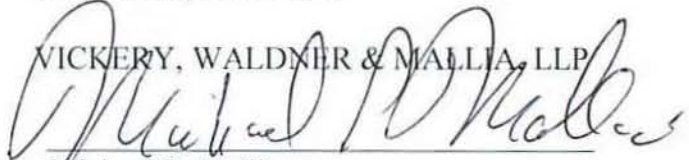
Prayer

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Susan Stanford, prays that Defendants, Nancy Rommelman and Pavlas, Brown, & York, L.L.P., be cited in terms of law to appear and answer herein; that upon final trial of this case, Plaintiff have judgment against said Defendants, for the full amount of damages as set forth above, with interest thereon, both pre-

judgment and post-judgment, at the legal rate; for costs of court; and for such other and further relief, special and general, at law and in equity, to which they may show themselves justly entitled.

Respectfully submitted,

By:

VICKERY, WALDNER & MALLIA, LLP


Michael P. Mallia

Texas State Bar No. 12866500

Fred H. Shepherd

Texas State Bar No. 24033056

One Riverway Drive, Suite 1150

Houston, Texas 77056

Telephone: (713) 526-1100

Facsimile: (713) 523-5939

ATTORNEY FOR PLAINTIFFS