

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

NETSPHERE, INC.,	§	
MANILA INDUSTRIES, INC., AND	§	
MUNISH KRISHAN	§	
	§	
PLAINTIFFS,	§	
	§	
V.	§	CIVIL ACTION NO. 3:09-CV-0988-F
	§	
JEFFREY BARON AND	§	
ONDOVA LIMITED COMPANY,	§	
	§	
DEFENDANTS.	§	

**ORDER DENYING STEPHEN COCHELL’S MOTION FOR APPOINTMENT AS
COUNSEL TO OPPOSE CREATION OF LIQUIDATING TRUST BUT GRANTING
STEPHEN COCHELL THE RIGHT TO APPEAR AS COUNSEL FOR JEFFREY
BARON IN CONNECTION WITH CREATION OF LIQUIDATING TRUST**

BEFORE THE COURT is Stephen Cochell’s Motion for Appointment as Counsel to Oppose Creation of Liquidating Trust, to Determine Compensation and, in the Alternative to File a Declaration Under Seal for In Camera Inspection in the above action (Doc. No. 1054). The Court is of the opinion that it is unnecessary to grant the motion. Mr. Cochell wishes to appear in this matter and represent Jeffrey Baron at Mr. Baron’s request. He certainly is entitled to do so and does not need this Court’s appointment to do so. Therefore, it is ORDERED that Mr. Cochell’s Motion is DENIED.

On the other hand, since Mr. Cochell is appearing for Mr. Baron and specifically to contest the creation of the liquidating trust, it is appropriate to extend to him a retainer, since the Receiver is holding funds which will be returned to Mr. Baron, even if the liquidating trust is approved, less the payouts required by the possible resolution of this matter. Therefore, it is ORDERED that the Receiver deliver to Mr. Cochell \$25,000 as a retainer for fees and \$25,000 as a retainer for experts before **October 5, 2012**. How to eventually cover Mr. Cochell’s fees and

expenses is a decision for a later time. For example, if the settlement proposed by the Receiver is approved, the Receivership will close and all net funds will be delivered to Mr. Baron, giving him funds that will be more than sufficient to pay Mr. Cochell.

IT IS SO ORDERED.

SIGNED this 28th day of September, 2012.

A handwritten signature in black ink, reading "Royal Furgeson". The signature is written in a cursive style with a horizontal line underneath the name.

Royal Furgeson

Senior United States District Judge