

Case No. 13-10119

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

NETSPHERE, INCORPORATED, ET AL.
Plaintiffs,

v.

JEFFREY BARON,
Defendant - Appellant

QUANTEC L.L.C.; NOVO POINT, L.L.C.,
Movants – Appellants

v.

PETER S. VOGEL
Appellee

**NOTICE OF
SUGGESTION OF BANKRUPTCY**

TO THE HONORABLE JUDGES OF SAID COURT:

PLEASE TAKE NOTICE that on June 26, 2013, the United States District Court, Northern District of Texas, Dallas Division (the “Bankruptcy Court”) entered an Order for Relief on Petition for Involuntary Bankruptcy placing Jeffrey into involuntary bankruptcy pursuant to Chapter 7 of Title 11 of the United States Code (the “Bankruptcy Code”).¹

¹ Mr. Baron filed a Motion for Stay of the Order for Relief, which was denied by the Bankruptcy Court. Attorneys for Baron’s Chapter 7 Trustee, specifically Kathryn Reid, requested Baron suspend his pursuit of certain appeals. A copy of the letter from Ms. Reid is attached hereto. The instant Suggestion of Bankruptcy is filed in an effort to minimize costs and to promote judicial economy. Baron, however, reserves all rights with respect to this appeal and maintains the

PLEASE TAKE FURTHER NOTICE that pursuant to section 362(a) of the Bankruptcy Code, the filing of the bankruptcy petition operates as an automatic stay of “the commencement or continuation, including issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title.”

PLEASE TAKE FURTHER NOTICE that the Debtor reserves its right to bring an action in the Bankruptcy Court for any violation of the automatic stay under section 362(a) of the Bankruptcy Code.

Respectfully submitted,

THE COCHELL LAW FIRM, P.C.

By: /s/ Stephen R. Cochell
Stephen R. Cochell
Texas Bar 24044255
THE COCHELL LAW FIRM
7026 OLD KATY RD., STE 359
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ATTORNEY FOR JEFFREY BARON

CERTIFICATE OF SERVICE

This is to certify that, on this 11th day of September, 2013, a copy of the above of the Suggestion of Bankruptcy was filed on the Court’s electronic filing system and notice provided to all parties and/or counsel of record.

/s/ Stephen R. Cochell
Stephen R. Cochell

Bankruptcy Court does not have jurisdiction to pursue the underlying involuntary bankruptcy process.

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

September 12, 2013

Mr. Stephen Rudolph Cochell
Cochell Law Firm, P.C.
7026 Old Katy Road
Suite 259
Houston, TX 77096-0000

No. 13-10119, Netsphere, Inc., et al v. Jeffrey Baron
USDC No. 3:09-CV-988

Dear Mr. Cochell:

We received your Status Report that was electronically filed on September 11, 2013.

This document is entitled as "Notice of Suggestion of Bankruptcy." We have taken no action on the Status Report as you must electronically file this document correctly as a Suggestion of Bankruptcy.

Sincerely,

LYLE W. CAYCE, Clerk

By: 
Dawn M. Shulin, Deputy Clerk
504-310-7658

cc: Mr. Craig Alan Capua
Mr. Matthew Brian Probus
Mr. Richard M. Roberson
Mr. David John Schenck
Mr. Gary N. Schepps