

No. DC-10-11915

JEFF BARON,

Plaintiff,

v.

GERRIT M. PRONSKE, Individually,
AND PRONSKE, GOOLSBY &
KATHMAN, P.C. f/k/a PRONSKE &
PATEL, P.C.,

Defendants.

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IN THE DISTRICT COURT

OF DALLAS COUNTY, TEXAS

193RD JUDICIAL DISTRICT

SECOND OBJECTION TO PROPOSED ORDER OF SEVERANCE

TO THE HONORABLE CARL GINSBERG:

Jeffrey Baron files this Objection to the Order for Severance proposed by Mr. Pronske and his firm for the following reasons:

The Order of Severance should specifically identify the pleadings, motions, orders and other filings that the Clerk can include them in the severed file. These pleadings, motions, orders and other filings should be included in the severed file, so that, when this case goes up on appeal, the appellate court will have a complete record of the proceedings below as it relates to Pronske and his firm. Some of the pleadings, motions, orders and other filings reside in the Removed Case, Adversary No. 10-03281-sgj, pending in the United States Bankruptcy Court for the Northern District of Texas - Dallas Division, prior to remand to this Court in May 2014, and they will have to be supplied by the parties to the Clerk. The pleadings should include the following:

A. PLEADINGS FILED IN ADVERSARY NO. 10-03281-SGJ, PENDING IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS - DALLAS DIVISION, PRIOR TO REMAND TO THIS COURT

1. 2010-09-15 Notice of Removal filed by Pronske and his firm;

2. 2010-09-27 Answer to complaint , Counterclaim & 3rd Party Complaint filed by Pronske and his firm;
3. 2010-10-15 Motion for remand and Motion to Strike filed by Jeffrey Baron;
4. 2010-10-15 Brief in support filed by Counter-Defendant-Jeffrey Baron;
5. 2010-10-15 Appendix in Support of Motion to Remand;
6. 2010-11-03 Order Abating Adversary Proceeding and Setting Status Conference;
7. 2011-04-06 Order Abating Adversary and Setting Status Conference hearing;
8. 2011-11-08 Motion to Enter Scheduling Order filed by Pronske and his lawfirm;
9. 2011-11-30 Response and Opposition to Pronske & Patel's Motion for Entry of Scheduling filed by Peter Vogel, Receiver;
10. 2014-03-13 Application for Prejudgment Garnishment filed by Pronske and his firm;
11. 2014-03-13 Emergency Motion to Lift Abatement filed by Pronske and his firm;
12. Motion for Emergency Hearing filed by Pronske and his firm;
13. 2014-03-14 Order Denying Emergency Hearing;
14. 2014-03-15 Order Setting Hearings;
15. 2014-03-28 Order Setting Hearings;
16. 2014-04-08 PGK Withdrawal of Motion to Lift Abatement;
17. 2014-04-28 Notice of Appearance – Pendergraft & Simon, LLP;
18. 2014-05-05 Order Remanding Case;
19. Docket Sheets – Adversary No. 10-03281, in the United States Bankruptcy Court for the Northern District of Texas - Dallas Division;

B. PLEADINGS, MOTIONS, ORDERS AND OTHER PAPERS FILED IN CAUSE NO. -10-11915

1. 2010-09-15 Original Petition filed by Jeffrey Baron;
2. 2014-05-16 Defendants' First Amended Answer and Counterclaim filed by Pronske and his firm;
3. 2014-05-16 Defendants' First Amended Counterclaim filed by Pronske and his firm;
4. 2014-05-16 Motion for Partial Summary Judgment filed by Pronske and his firm;
5. 2014-06-03 Suggestion of Stay filed by Jeffrey Baron;
6. 2014-06-04 Answer to Pronske's First Amended Counterclaim filed by Jeffrey Baron;
7. 2014-06-05 Motion to Strike Suggestion of Stay filed by Pronske and his firm;
8. 2014-06-09 Motion to Transfer Related Case to this Court – Case No. 14-02619;
9. 2014-06-11 Order Transferring Consolidating Cases;
10. 2014-06-20 Motion for Clarification Regarding Abatement and District Court Injunction filed by Jeffrey Baron;
11. 2014-06-23 Original Counterclaim filed by Jeffrey Baron;
12. 2014-06-25 Objection to Visiting Judge filed by Pronske and his firm;
13. 2014-06-30 First Amended Petition filed by Jeffrey Baron;
14. 2014-06-30 Order Denying Motion to Strike;
15. 2014-06-30 Response to Motion for Summary Judgment filed by Jeffrey Baron;
16. 2014-06-30 Supplemental Answer to First Amended Counterclaim filed by Jeffrey Baron;
17. 2014-07-08 Order Striking Suggestion of Stay Per Federal Injunction;
18. 2014-07-25 Amended Motion for Summary Judgment filed by Pronske and his firm;

19. 2014-08-18 Response to Motion for Summary Judgment filed by Jeffrey Baron;
20. 2014-08-18 Second Supplemental Answer filed by Jeffrey Baron;
21. 2014-08-22 Reply to Response to Amended Motion for Summary Judgment filed by Pronske and his firm;
22. 2014-08-28 Jury Demand filed by Jeffrey Baron;
23. 2014-09-02 Proposed Final Summary Judgment filed by Pronske and his firm;
24. 2014-09-02 Objection to Proposed Order filed by Jeffrey Baron;
25. 2014-09-03 Ltr to Judge Ginsberg filed by Pronske and his firm;
26. 2014-09-03 Second Objection to Proposed Order filed by Jeffrey Baron;
27. 2014-09-03 Final Summary Judgment;
28. 2014-09-09 Final Judgment;
29. 2014-09-11 Turnover Application filed by Pronske and his firm;
30. 2014-09-11 Motion for Severance filed by Pronske and his firm;
31. Docket Sheets in Cause No. DC-10-11915

C. PLEADINGS, MOTIONS, ORDERS AND OTHER PAPERS FILED IN CAUSE NO. DC-14-02622 – CONSOLIDATED INTO CAUSE NO. DC-10-11915

1. 2014-03-17 Application for Pre-Judgment Writ of Garnishment filed by Pronske and his firm;
2. 2014-03-17 Order Granting Garnishment;
3. 2014-03-17 Officer's Returns on Writ of Garnishment;
4. Docket Sheets in Cause No. DC-14-02622

Respectfully Submitted,

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/s/ Leonard H. Simon

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Counsel for Jeff Baron

Certificate of Service

I hereby certify that a true and correct copy of the above SECOND Objection to Proposed ORDER OF SEVERANCE has been served on the following counsel/parties of record in accordance with TEX. R. CIV. P. 21a and local rules for electronic filing and service on this 25th day of September 2014.

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