

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

NETSPHERE, INC.,	§
MANILA INDUSTRIES, INC., and	§
MUNISH KRISHAN,	§
Plaintiffs.	§
	§ Civil Action No. 3-09CV0988-F
v.	§
	§
JEFFREY BARON, and	§
ONDOVA LIMITED COMPANY,	§
Defendants.	§

SUPPLEMENTAL RECORD SUPPLEMENT RE: ROLE OF MARTIN THOMAS, THE INVOLVEMENT OF THE GARDERE FIRM, AND THE ORDER OF PROCEEDINGS

COMES NOW JEFF BARON, and files this supplemental record supplement documenting the role of Thomas and the involvement of the Gardere firm in litigation, and the order of proceedings.

Respectfully submitted,

/s/ Gary N. Schepps

Gary N. Schepps
Texas State Bar No. 00791608
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Dallas, Texas 75367
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(214) 347-4031 - Facsimile
E-mail: legal@schepps.net
COUNSEL FOR JEFF BARON

CERTIFICATE OF SERVICE

This is to certify that this document was served this day on all parties who receive notification through the Court's electronic filing system.

CERTIFIED BY: /s/ Gary N. Schepps
Gary N. Schepps

No. 10-11202

**In the
United States Court of Appeals
for the Fifth Circuit**

NETSPHERE, INC. Et Al,
Plaintiffs

v.

JEFFREY BARON,
Defendant-Appellant

v.

ONDOVA LIMITED COMPANY,
Defendant-Appellee

Appeal of Order Appointing Receiver in Settled Lawsuit

Cons. w/ No. 11-10113

NETSPHERE INC., Et Al, Plaintiffs

v.

JEFFREY BARON, Et Al, Defendants

v.

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

v.

PETER S. VOGEL,
Appellee

From the United States District Court
Northern District of Texas, Dallas Division
Civil Action No. 3-09CV0988-F

DECLARATION OF GARY SCHEPPS

Cons. w/ No. 11-10289
NETSPHERE, INC., ET AL, Plaintiffs
v.
JEFFREY BARON, Defendant- Appellant
v.
DANIEL J SHERMAN, Appellee

Cons. w/ No. 11-10290
NETSPHERE, INC. ET AL, Plaintiffs
v.
JEFFREY BARON, ET AL, Defendants
v.
QUANTEC L.L.C.; NOVO POINT L.L.C., Non-Party Appellants
v.
PETER S. VOGEL, Appellee

Cons. w/ No. 11-10390
NETSPHERE, INC. ET AL, Plaintiffs
v.
JEFFREY BARON, Defendant – Appellant
v.
QUANTEC L.L.C.; NOVO POINT L.L.C., Appellants
v.
ONDOVA LIMITED COMPANY, Defendant – Appellee
v.
PETER S. VOGEL, Appellee

Cons. w/ No. 11-10501
NETSPHERE, INC. ET AL, Plaintiffs
v.
JEFFREY BARON, Defendant – Appellant
QUANTEC L.L.C.; NOVO POINT L.L.C., Appellants
CARRINGTON, COLEMAN, SLOMAN & BLUMENTHAL, L.L.P.,
Appellant
v.
PETER S. VOGEL; DANIEL J. SHERMAN, Appellees

Interlocutory Appeals of
Orders in Receivership on Appeal

From the United States District Court
Northern District of Texas, Dallas Division
Civil Action No. 3-09CV0988-F
Hon. Judge William R. Furgeson Presiding

“1. My name is Gary Schepps. I am the appellate counsel for Jeff Baron, Novo Point, LLC., and Quantec, LLC. I am competent to make this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct. I have knowledge of the stated facts, which I learned in my role as appellate counsel in the above entitled appeals.

“2. The following is a true and accurate screen clip from Adobe Acrobat 9 showing the creation date of Document 123 filed in Case 3:09-cv-00988-F on 11/24/10, the “EMERGENCY MOTION OF TRUSTEE FOR APPOINTMENT OF A RECEIVER OVER JEFFREY BARON”. The file shows that it was created at 2:07 PM on 11/24/2010:

Title:	Microsoft Word - 2952343_2.DOC
Author:	lpannier
Subject:	
Keywords:	
Created:	11/24/2010 2:07:19 PM
Modified:	11/24/2010 2:07:19 PM
Application:	PScript5.dll Version 5.2.2
Advanced	
PDF Producer:	Acrobat Distiller 9.3.0 (Windows)
PDF Version:	1.5 (Acrobat 6.x)

“3. The following is an e-mail record of ICANN, the international internet registry, showing that Raymond Urbanik, counsel for Sherman, informed ICANN that the District Court appointed Vogel as receiver at 1:15 pm on 11/24/2010.

From: Urbanik, Raymond
Sent: Wednesday, November 24, 2010 3:54 PM
To: 'Samantha Eisner' <Samantha.Eisner@icann.org>
Cc: Erin Brady; Amy Stathos; 'schnabel.eric@dorsey.com';
mallard.robert@dorsey.com
Subject: RE: Approval of Termination of Accreditation and Bulk Transfer

Sam, Erin, Amy, Eric, Robert

A receiver was appointed over Mr Baron today at 1:15 pm Central time by Senior United States Federal District Court Judge Royal Ferguson.

The order also immediately suspends, enjoins and stays the transfer of the names by ICANN through the de - accredited registrar process.

The newly appointed Receiver, Peter Vogel, will be sending you a copy of the order shortly.

Please call if you would like to discuss this matter. Thank you.

-ray

Raymond J. Urbanik
MUNSCH HARDT KOPF & HARR, P.C.
500 North Akard Street, Suite 3800
Dallas, Texas 75201-6659
Direct: (214) 855-7590
Fax: (214) 978-4374
rurbanik@munsch.com <mailto:rurbanik@munsch.com>
munsch.com <http://www.munsch.com/>

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IRS Circular 230 Notice: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties under the Internal Revenue Code or (b) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Samantha Eisner [mailto:Samantha.Eisner@icann.org]
Sent: Tuesday, November 23, 2010 8:10 PM
To: Urbanik, Raymond
Cc: Erin Brady; Amy Stathos
Subject: FW: Approval of Termination of Accreditation and Bulk Transfer

Hi Ray -

I'm forwarding a message sent from our Registrar Liaison Group to the Primary Contact for Compana.

I believe that the notice to the Registries will be forwarded by tomorrow.

Best regards,

Sam

----- Forwarded Message

From: Brian Peck <brian.peck@icann.org>
Date: Tue, 23 Nov 2010 17:43:06 -0800
To: "ondovalimited@gmail.com" <ondovalimited@gmail.com>
Cc: Samantha Eisner <Samantha.Eisner@icann.org>, Tim Cole <Tim.Cole@icann.org>, Mike Zupke <Mike.Zupke@icann.org>
Subject: Approval of Termination of Accreditation and Bulk Transfer

Dear Mr. Nelson,

We confirm receipt of your written notice of termination of your registrar's RAA. We have completed our internal review and in accordance with ICANN's Inter-Registrar Transfer Policy, we approve your request to designate Fabulous.com Pty Ltd. as the gaining registrar to receive the bulk transfer of all names currently under management of your registrar. We will contact the relevant registries shortly and you can coordinate the timing of the bulk transfers with the registries directly after they contact you.

The termination will be effective on 30 November 2010. As requested, ICANN waives the remainder of the 30-day notice period set forth in the RAA.

Please note that your registrar remains responsible for all outstanding fees due to ICANN which are incurred up until the effective date of termination, which is 30 November, 2010. Please let us know if you have any questions.

Sincerely,

Brian Peck
Registrar Liaison Manager
ICANN

----- End of Forwarded Message

I declare under penalty of perjury that the foregoing declaration is true and correct.

Signed this 19th day of November, 2011, in Dallas, Texas.

/s/ Gary N. Schepps
Gary N. Schepps

L-BH
ORIGINAL

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

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
7 23 10 20 05
CLERK, U.S. DISTRICT COURT
Deputy

COMPANA, LLC,
Plaintiff,

v.

MIKE EMKE, et al.,
Defendants.

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§
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§

JURY TRIAL DEMANDED

C.A. no. 3:05-CV-

Hon. Barbara M.G. Lynn
United States District Judge

Hon. Jeff Kaplan
United States Magistrate Judge

216034

8-05 CV 0285 L

CERTIFICATE OF INTERESTED PERSONS

Pursuant to Local Rule 81.1, Mike Emke submits the following list of interested persons:

1. Mike Emke (Defendant)
2. Domain Names, Inc. (Defendant)
3. Idomain.com, Inc. (Defendant)
4. Eric Grimm, Esq. (Defendant's lead counsel)
5. Calligaro & Meyering, P.C. (Defendant's lead counsel's law firm)
6. Julia Anderson (Defendant's local counsel)
7. Gardere Wynne Sewell LLP (Defendant's local counsel's law firm)
8. Compana, LLC (Plaintiff)
9. Dana Campbell (Plaintiff's attorney)
10. Owens, Clary & Aiken (Plaintiff's attorney's law firm)


Respectfully submitted,

Eric Grimm
Eric C. Grimm

Texas Bar No. 00787596
Calligaro & Meyering, P.C.
20600 Eureka Road, Suite 900
Taylor, MI 48180
Telephone (734) 283-2727
Facsimile (734) 246-8635

COUNSEL FOR MIKE EMKE

Of Counsel:

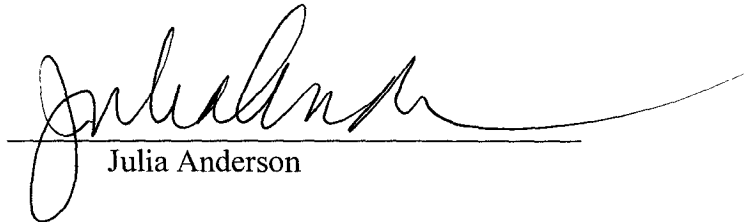


Julia G. Anderson
Texas Bar No. 00790233
Gardere Wynne Sewell LLP
1601 Elm Street, Suite 3000
Dallas, Texas 75201-4761
Telephone (214) 999-4753
Facsimile (214) 999-3753

CERTIFICATE OF SERVICE

This is to certify that on the 10th day of February 2005, a true and correct copy of the foregoing was served by hand delivery to the following counsel:

Dana Campbell
Owens, Clary & Aiken
700 North Pearl
Dallas, TX 75201



Julia Anderson

Thomas [mailto:thomas12@swbell.net]

Sent: Friday, February 11, 2011 10:37 AM

To: Michael Sutherland

Cc: LOH, PETER; GOLDEN, BARRY; craig.c@westllp.com; VOGEL, PETER;
peter@barrettcrimelaw.com; legal@schepps.net; rurbanik@munsch.com; rhunt@munsch.com;
csherman@syllp.com

Subject: Re: Netsphere: MOTION for Protection, Direction and Determination of Applicable Privilege Issues filed by Carrington Coleman Sloman & Blumenthal, LLP with Brief/Memorandum in Support

Mike

As I previously noted, I remain Baron's counsel in the bankruptcy (the Judge confirmed that yesterday after you left) but it still seems to be the common wisdom that neither I nor Jeff have authority to object or consent to action in the bankruptcy.

And, I am not of record in the Dist. Ct matter. The Dist Ct. case is in the purvue of Mr. Schepps. Therefore, I make no comment on the proposed order and my silence on the issue should not be taken as anything but silence.

It was good to see you yesterday.

Martin

Sent from my iPad