### CAUSE NO. DC-10-11915

JEFFREY BARON	§	IN THE DISTRICT COURT
	§	
Plaintiff/Counterclaim Defendant,	§	
	§	
V.	§	193 <sup>rd</sup> JUDICIAL DISTRICT
	§	
GERRIT PRONSKE, PRONSKE & PATEL	§	
P.C. a/k/a PRONSKE, GOOLSBY	§	
&KATHMAN, P.C.	§	
	Š	
Defendant/Counterclaim Plaintiff,	Š	DALLAS COUNTY, TEXAS
	Š	, ,
<b>V.</b>	§	

## JEFFREY BARRON'S SUPPLEMENTAL ANSWER TO FIRST AMENDED COUNTERCLAIM

COMES NOW Jeffrey Baron ("Baron"), Plaintiff and Counter-Defendant, and files this *Supplement to Answer* to *First Amended Counterclaim* filed by Gerrit M. Pronske ("Pronske") and Pronske and Patel P.C. n/k/a Pronske, Goolsby & Kathman, P.C. ("PG&K"),<sup>1</sup> and would respectfully show the Court as follows:

## I. <u>SUPPLEMENT TO AFFIRMATIVE DEFENSES</u>

1. Baron asserts payment. Tex. R. Civ. P. 94 and Tex. R. Civ. P. 95. Specifically, the terms of the engagement of the PG&K firm were negotiated among PG&K, Baron and AsiaTrust Limited, which at the time was acting as the trustee of The Village Trust ("AsiaTrust").<sup>2</sup> Baron understood that PG&K's fee for such services rendered would be \$75,000, and that no additional fees would be incurred unless PG&K undertook additional matters for Baron, before which time a modified fee arrangement

<sup>&</sup>lt;sup>1</sup> This supplements the Answer filed by Plaintiff on or about June 5, 2014.

<sup>&</sup>lt;sup>2</sup> The Village Trust is a valid Spendthrift Trust organized under the laws of the Cook Islands in 2005, in which Jeffrey Baron is a primary beneficiary.

would be negotiated among PG&K, AsiaTrust and Baron prior to Pronske or PG&K undertaking such matters. The \$75,000 was paid to PG&K by wire transfer.

WHEREFORE, PREMISES CONSIDERED, Baron respectfully requests that Pronske and PG&K take nothing by reason of this suit; that all costs be adjudged against Pronske and PG&K; that Baron's Special Exceptions to Pronske and PG&K's *Amended Counterclaim* be sustained and that Pronske and PG&K be ordered to re-plead with particularity or that Pronske and PG&K's allegations, in their general scope, be stricken. Baron requests such other and further relief, in law and equity, general or special, to which Baron may be entitled.

Dated: June 30, 2014

Respectfully submitted,

### Pendergraft & Simon, LLP

#### /s/ Leonard H. Simon

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## **Counsel for Jeffrey Baron**

# **CERTIFICATE OF SERVICE**

I hereby certify that on June 30, 2014, I electronically filed the foregoing with the Clerk of the Court using the Court's electronic filing system, which will send notification of such filing to all counsel of record.

/s/ Leonard H. Simon