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

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NETSPHERE, INC., Et. Al. *Plaintiffs*, vs.

JEFFREY BARON, Et. Al. *Defendants*.

Civil Action No. 3-09CV0988-F

NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

Notice is hereby given that Jeffrey Baron, defendant, Novo Point LLC and Quantec LLC, non-parties affected by orders in Civil Action No. 3-09CV0988-F, hereby appeal to the United States Court of Appeals for the Fifth Circuit from:

- a. [DOC 1062] The District Court's Order approving 1043 Receiver's Seventeenth Application for Reimbursement of Fees Incurred by Martin K. Thomas. (Ordered by Judge Royal Furgeson on 10/1/2012) (Entered: 10/01/2012).
- b. [DOC 1061] The District Court's Order approving 1040 Receiver's Nineteenth Application. (Ordered by Judge Royal Furgeson on 10/1/2012) (axm) Modified text and linkage on 10/2/2012 (axm). (Entered: 10/01/2012).
- c. [DOC 1060] The District Court's Order approving 1049 Receiver's Twentieth Fee Application. (Ordered by Judge Royal Furgeson on 10/1/2012) (Entered: 10/01/2012).
- d. [DOC 1057] The District Court's Order granting doc 1048 Motion for Attorney Fees (Ordered by Judge Royal Furgeson on 9/28/2012) (Entered: 09/28/2012).

e. [DOC 1055] The District Court's Order granting doc 1050 Motion for Attorney Fees and ordering that the Receiver should pay Dykema its fees in the sum of \$241,511.31 on or before October 5, 2012. (Ordered by Judge Royal Furgeson on 9/28/2012) (Entered: 09/28/2012).

This appeal is taken pursuant to 28 U.S.C. §1291 and §§1292(a)(1) and (2).

The parties to the orders appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Appellant:Defendant Jeffrey BaronNon-Party Appellants:Novo Point, LLC and Quantec, LLC

Represented on Appeal by:

Gary N. Schepps Drawer 670804 Dallas, Texas 75367 Telephone (972) 200-0000 Facsimile (972) 200-0535 legal@schepps.net

Appellee: Peter S. Vogel, receiver

Represented by: David J Schenck Dykema Gossett PLLC 1717 Main Street, Suite 4000 Dallas, Texas 75201 Telephone (214) 462-6400 Facsimile (214) 462-6401 dschenck@dykema.com Dated: October 28, 2012.

Respectfully submitted,

<u>/s/ Gary N. Schepps</u> Gary N. Schepps State Bar No. 00791608 Drawer 670804 Dallas, Texas 75367 Telephone (972) 200-0000 Facsimile (972) 200-0535 legal@schepps.net

APPELLATE COUNSEL FOR JEFFREY BARON

APPELLATE COUNSEL FOR NOVO POINT, LLC and QUANTEC, LLC

CERTIFICATE OF SERVICE

This is to certify that this was served on all parties who receive notification through the Court's electronic filing system and including:

David J Schenck Dykema Gossett PLLC 1717 Main Street, Suite 4000 Dallas, Texas 75201 dschenck@dykema.com

> /s/ Gary N. Schepps Gary N. Schepps