

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

<b>NETSPHERE, INC.,</b>	§	
<b>MANILA INDUSTRIES, INC.,</b>	§	
<b>AND MUNISH KRISHAN</b>	§	
	§	
<b>PLAINTIFFS,</b>	§	
	§	
<b>V.</b>	§	<b>CIVIL ACTION NO. 3:09-CV-0988-F</b>
	§	
<b>JEFFREY BARON AND</b>	§	
<b>ONDOVA LIMITED COMPANY,</b>	§	
	§	
<b>DEFENDANTS.</b>	§	

**REQUEST FOR APPOINTMENT AS COUNSEL FOR JEFFREY BARON FOR  
REPRESENTATION ON ISSUES REGARDING APPLICATIONS BY THE TRUSTEE  
AND RECEIVER FOR ATTORNEYS FEES AND REQUEST FOR EXTENSION OF  
TIME TO RESPOND TO FEE APPLICATIONS**

Jeffrey Baron, by and through counsel, requests the Court authorize Stephen R. Cochell, to represent him on recently filed applications by the Receiver and the Trustee for attorneys fees, and in support thereof, states:

1. The Court authorized Mr. Cochell to represent him in the bankruptcy and district court on issues relating to approving the Receiver entering into the Plan settlement and approving auction procedures and approving the Stalking Horse Bid. [Doc. 815]
2. The representation and arrangement to compensate Mr. Cochell, however, was limited to these matters and did not extend to issues involving the review and evaluation of the Receiver and Trustee’s attorney’s fees.
3. The Trustee recently filed a fee application seeking \$653,563 [Doc.1075] and the Receiver filed a fee application seeking \$155,356 [Doc. 1068], amounting to \$808,919.
4. Thus, Mr. Baron is unrepresented on claims amounting to \$808,919.

5. Cochell a retainer of \$45,000 and expert fees of \$50,000 to represent Mr. Baron in evaluating and potentially opposing fee applications recently filed with the Court. An expert would have to be retained to conduct analysis of the fees, and to opine on the reasonableness of the fees. Counsel would also be required to evaluate the reasonableness of the fees and work with the expert to determine and present objections for thousands of time entries. Unfortunately, this process is not inexpensive, but is necessary in a case where the fees have outstripped the assets of the bankruptcy estate. Duplication of work, excessive billing and unnecessary billing are likely in the instant case.

6. The representation would extend to potential objections to all fees to be approved by this Court and the Bankruptcy Court.

7. Mr. Baron also requests the Court for an extension of time to respond to the pending fee applications. Due to the expedited discovery schedule, Mr. Baron did not focus on the need for representation or request counsel to file this application until this evening.

WHEREFORE, Jeffrey Baron requests the Court authorize and direct the Receiver to pay Mr. Cochell a retainer of \$45,000 for fees and \$50,000 for expert and related computer support to evaluate and file objections to fee applications pending before the Court and final approval of all fees paid by the Bankruptcy and District Court.

Very respectfully,

/s/ Stephen R. Cochell  
Stephen R. Cochell  
The Cochell Law Firm, P.C.  
Texas Bar No. 24044255  
7026 Old Katy Rd., Ste 259  
Houston, Texas 77096  
(713)980-8796 (phone)  
(713)980-1179 (facsimile)  
[srcochell@cochellfirm.com](mailto:srcochell@cochellfirm.com)



**CERTIFICATE OF CONFERENCE**

Counsel did not have an opportunity to confer with counsel for the Trustee or the Receiver prior to filing this motion as he was not asked to represent Mr. Baron until this evening. Due to the deadline for filing a response to the fee applications, conference with opposing counsel was not feasible.

**CERTIFICATE OF SERVICE**

This is to certify that, on November 7, 2012, a copy of the above was served on all counsel of record through the Court's ECF filing system.

/s/ Stephen R. Cochell  
Stephen R. Cochell