

**No. 10-11202**  
**In the**  
**United States Court of Appeals**  
**for the Fifth Circuit**

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NETSPHERE, INC. Et Al,  
Plaintiffs

v.

JEFFREY BARON,  
Defendant-Appellant

v.

ONDOVA LIMITED COMPANY,  
Defendant-Appellee

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Appeal of Order Appointing Receiver in Settled Lawsuit

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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

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Appeal of Order Adding Non-Parties Novo Point, LLC  
and Quantec, LLC as Receivership Parties

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

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**RESPONSE TO TWELTH MOTION FOR  
FEES FOR MARTIN THOMAS**

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TO THE HONORABLE JUSTICES OF THE FIFTH CIRCUIT COURT OF APPEALS:

COMES NOW Appellant Jeff Baron, and subject to the Fifth Amendment objection and motion previously filed in this cause<sup>1</sup> and incorporated herein by reference, makes this preliminary response with respect to the 1-31-12 MOTION filed by Appellee Mr. Peter S. Vogel in 11-10113, 11-10290, 11-10390, 11-10501 to supplement the record on appeal with The Receiver's Twelfth Application for Reimburseem [Martin Thomas] (7006513).

### **I. ARGUMENT AND AUTHORITY**

Baron incorporates and adopts by reference his prior response to Thomas fee requests, Document 00511734076 filed on 1/23/2012 in case 10-11202.

Respectfully submitted,

/s/ Gary N. Schepps

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**APPELLATE COUNSEL FOR  
JEFF BARON**

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<sup>1</sup> Document 511592562 filed in Case 10-11202 on 09/04/2011.

**CERTIFICATE OF SERVICE**

This is to certify that this motion 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  
COUNSEL FOR APPELLANT