

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

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

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

**RESPONSE TO VOGEL SIXTH SEALED MOTION TO HAVE
THE PROPRIETY OF HIS ACTIONS CONFIRMED
AND MOTION FOR EVIDENTIARY HEARING**

TO THE HONORABLE FIFTH CIRCUIT COURT OF APPEALS:

COMES NOW Appellants, and subject to the preliminary Fifth Amendment objection and motion previously filed in this cause, make this response with respect to the “1-25-12 RECEIVER'S SIXTH SEALED MOTION filed by Appellee Mr. Peter S. Vogel in 11-10113, 11-10290, 11-10390, 11-10501 to confirm propriety of domain name deactivations [7001138]”. Appellants adopt and incorporate by reference their “RESPONSE TO VOGEL SECOND SEALED MOTION TO HAVE THE PROPRIETY OF HIS ACTIONS CONFIRMED AND MOTION FOR EVIDENTIARY HEARING” (Document 00511618411 Filed 09/29/2011 in Case 10-11202), and move that an evidentiary hearing be allowed prior to the entry of an order confirming the propriety of the receiver’s actions.

I. ARGUMENT AND AUTHORITY

Appellants adopt their prior response (Document 00511618411 Filed 09/29/2011 in Case 10-11202) to Vogel’s duplicative motion.

Vogel’s motion should be in all things denied and overruled.

Respectfully submitted,

/s/ Gary N. Schepps

Gary N. Schepps
Texas State Bar No. 00791608
5400 LBJ Freeway, Suite 1200
Dallas, Texas 75240
(214) 210-5940 - Telephone
(214) 347-4031 - Facsimile
Email: legal@schepps.net
COUNSEL FOR APPELLANTS

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