

**From:** GOLDEN, BARRY [mailto:bgolden@gardere.com]  
**Sent:** Thursday, December 02, 2010 8:13 PM  
**To:** 'jeffbaron1@gmail.com'  
**Cc:** VOGEL, PETER; LOH, PETER  
**Subject:** FW: Jeff Baron Receivership

Dear Mr. Baron,

As you know, I am counsel for the Receiver, Peter Vogel. The Receiver forwarded to me your e-mail below.

Judge Furgeson's Order Appointing Receiver ("Receiver Order") provides the Receiver with, among other things, the following powers and duties: (1) "exclusive control over, any and all 'Receivership Parties, which term shall include Jeffrey Baron,'" (2) "exclusive control over any and all 'Receivership Assets', which term shall include . . . accounts . . . and all cash" (the "Receiver Funds"), and (3) exclusive power "[t]o choose, engage, and employ attorneys . . . as . . . the Receiver deems necessary." The Receiver Order further provides that you "shall fully cooperate with and assist the . . . Receiver," and such assistance shall include "providing any information to the Receiver that the Receiver deems necessary."

Based on the powers and duties provided to the Receiver within the Receiver Order, the Receiver has retained me and others at my law firm to serve as counsel. Furthermore, based on the obligations imposed upon you under the Receiver Order, you—and that means you, personally, and not indirectly through any lawyer, agent, or any third party individual—shall cooperate and assist me and others at my law firm and provide us with information that we deem necessary to effectuate the Receiver Order.

The Receiver is furthermore instructing you as follows:

First, you are expressly prohibited from retaining any legal counsel. Should you retain any legal counsel, the Receiver may move the Court to find you in contempt of the Receiver Order.

Second, you are expressly prohibited from disbursing any Receiver Funds provided to you by the Receiver for anything other than the following daily-living expenses for yourself only: local transportation, meals, home utilities, medical care and medicine. Should you disburse any Receiver Funds provided to you by the Receiver (including, without limitation, the \$1,000 check enclosed in the letter I had delivered to you approximately two and a half hours ago) for anything other than the aforementioned daily-living expenses (including, without limitation, retaining an attorney), the Receiver may move the Court to find you in contempt of

the Receiver Order. To be clear, you shall not use any portion of the \$1,000 I sent you today to retain an attorney.

Should you have any questions, please do not hesitate to contact me.

Barry Golden  
Counsel for the Receiver  
214.999.4746



08:11 1 of cyber squatting liability called --

2 THE COURT: Please, you guys know so much more  
3 than I do. Judge Lynn put an order in place. It will  
4 work. Both sides agree.

5 MR. BELL: Yes, your Honor, absolutely. I don't  
6 think your Honor needs to modify that order, and I'm okay  
7 with it, and I believe Mr. MacPete is as well.

8 THE COURT: You realize that order is an order  
9 of the Court. So any failure to comply with that order is  
10 contempt, punishable by lots of dollars, punishable by  
11 possible jail, death.

12 MR. BELL: And death.

13 MR. RAWLS: The only part about that that I  
14 would ask the Court is to give us a ruling on the earlier  
08:12 15 issue that Mr. MacPete raised. There is this UDRP issue  
16 where my client has no choice if he wants to keep his  
17 accreditation with ICANN to change the registrant  
18 information, who owns the names. And apparently there is  
19 another process that doesn't involve UDRP where a third  
20 party asserts a trademark claim to a name, and my client  
21 in that situation also has no choice, and basically this  
22 arises out of Judge Lynn's order on Friday that Mr.  
23 MacPete's client is concerned that my client would get in  
24 there to alter the date to alter the split. They were  
25 concerned about alteration of data. Judge Lynn said

08:19 1 THE COURT: I like California. Wish they had a  
2 better system of governance, but I like California.

3 MR. BELL: We're in a little bit of a quagmire,  
4 and I think the best thing to do would be to order us  
5 right now -- It sounded like I was quasi-joking, but we  
6 need to get into a room and get this knocked out, and  
7 we're ready, willing and able to perform in contravention  
8 of Mr. MacPete's representation, and I'm not saying he  
9 misrepresented. We're ready willing and able to perform.  
10 We want the case off the docket. There is a state court  
11 motion pending. A motion to enforce in that court and I  
12 don't believe, with all due respect to the Court, the  
13 state court has jurisdiction on this.

14 THE COURT: They do and I have jurisdiction,  
08:20 15 too. So I'll tell you what. I am going to stay in this  
16 case through the preliminary injunction, and there is an  
17 order entered. Nobody can violate it. Anybody violates  
18 it, you are all paying big dollars. Not only corporately  
19 but personally also. You want to challenge the court  
20 order, I have the marshals behind me. I can come to your  
21 house, pick you up, put you in jail. I can seize your  
22 property, do anything I need to do to enforce my orders.  
23 I'm telling you don't screw with me. You are a fool, a  
24 fool, a fool, a fool to screw with a federal judge, and if  
25 you don't understand that, I can make you understand it.

08:21 1 I have the force of the Navy, Army, Marines and Navy  
2 behind me. There is a lot of playing games. Both sides  
3 are probably completely complicit. But it's time to  
4 resolve this. If you don't want to resolve it, I can put  
5 you in jail. I can hold you six months, twelve months,  
6 eighteen months, and I can do that, and if you want me to  
7 do it, I will be glad to do it, but you need to be serious  
8 about this. There is a problem here that I do not  
9 understand. It's really beyond my comprehension, and I  
10 actually am not a completely dumb person. So you need to  
11 get this resolved.

12 MR. BELL: I have been on the case eight days.  
13 So I'm not entirely complicit.

14 THE COURT: Everybody is to blame. When you get  
08:22 15 up in the morning look in the mirror. Everybody is to  
16 blame here. I'm going to hear you on the 1st, if I have  
17 to, but in the meantime, there needs to be two adults, one  
18 on each side, that figures this out.

19 MR. BELL: Do you think, your Honor -- I mean I  
20 would make an oral motion before the honorable court maybe  
21 to order a mediation and get this thing out and off your  
22 docket.

23 THE COURT: There is no question that's what  
24 needs to be done. Apparently, there is a lot of money to  
25 be had here. Let's not be greedy. Let's get this done



08:15 1 representing Mr. Baron who will kept saying "This doesn't  
2 make sense, don't do this. We have to do it this way."  
3 Lawyers over and over and over telling Mr. Baron, you  
4 know, you can't do this, can't hide money. Lawyers trying  
5 to do their job as lawyers. And over and over again,  
6 apparently, Mr. Baron finally just got tired of hearing  
7 what he considered to be bad news and fired the lawyers  
8 again. You know, people giving bad news I guess are  
9 subject to being fired. But what I have never understood  
10 in this case -- and I probably will never understand -- is  
11 why Mr. Baron does what he does in ways that are so  
12 detrimental to his own self interest because what  
13 Mr. Baron is about to do here -- whether there is a  
14 receiver or not. Say you win and there is no receiver.  
08:16 15 It doesn't make any difference. This is going on and on  
16 and on until Mr. Baron has nothing. I mean actually  
17 everything is depleted. I gather that Mr. Baron is worth  
18 lots of money. But it may be that we sell all the domain  
19 names. We may sell all of his stock. We may cash in all  
20 of his CD's, and we may seize all of his bank accounts.  
21 And even if there is no receiver, some judgment creditor  
22 is going to do that. It's all gone. And it may be that I  
23 don't understand the mind set, and it may be that  
24 Mr. Baron is going to say there is nobody anywhere in the  
25 universe that's going to tell me what to do. And he can

08:18 1 take that position, but you know, the fact of the matter  
2 is we're a nation of laws and laws matter and people are  
3 accountable. And eventually, he's going to be  
4 accountable. Whether it's a receiver, judgment or  
5 whatever, he's going to be accountable unless he wants to  
6 live on a desert island somewhere and escape the clutches  
7 of the U.S. Army and the Navy and the Marines and the Air  
8 Force and the U.S. Marshals.

9 So Mr. Schepps, you are the only one here I  
10 think that can talk to Mr. Baron. I have no earthly idea  
11 if you are interested in talking to him about this. But  
12 you know, this kind of litigation is eventually going to  
13 bring Mr. Baron to a penurious condition. No way around  
14 it. Somewhere, sometime it's going to bring him to that  
08:19 15 condition. And for what good purpose is completely  
16 unclear to me. And in fact, it's been unclear to me for a  
17 long time. That's why I put it in the order. I have  
18 never seen a litigant work so hard against his own  
19 self-interest. Of course, I have never seen a litigant  
20 like this anyway who has taken such a vexatious approach  
21 to litigation.

22 So I'll leave that as my puzzlement, and maybe  
23 some day I will understand it all. I'm getting a proposed  
24 motion and order from you Mr. Golden on the proposed  
25 legal fee issues. That was a helpful recommendation, and