

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

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

**THE RECEIVER’S NOTICE REGARDING STATEMENTS INCLUDED IN
THE NETSPHERE PARTIES’ RESPONSE TO THIS COURT’S 05/23/12
ADVISORY ON FIRST AMENDED COMPLAINT (DOC NO. 978)**

On June 14, 2012, Plaintiffs Netsphere, Inc., Manila Industries Inc. and Munish Krishan (collectively, the “Netsphere Parties”) filed their *Response to this Court’s 05/23/12 Advisory on First Amended Complaint and Request for Hearing*. [Docket No. 978.] The Netsphere Parties’ response includes the following statement:

Plaintiffs and the Receiver have had some preliminary discussions about the resolution of the claims in the First Amended Complaint. Plaintiffs believe and the Receiver has preliminarily agreed that it appears that the claims can likely be resolved quickly and efficiently in this case so that they may be appealed by Mr. Baron and consolidated with the other pending appeals.

[*Id.* at p. 3.] The Receiver disagrees with the Netsphere Parties’ characterization of the Receiver’s point of view regarding these matters.

While the Receiver has invited the Netsphere Parties to make a settlement proposal to the Receiver in writing regarding the claims in the First Amended Complaint, the Receiver is not optimistic that the claims can be settled, much less settled “quickly.” Accordingly, the Receiver agrees with the Court’s proposal “to sever these [First Amended Complaint] claims and place

them in another case before this Court” in order to “hasten the end of the Receivership,” as stated in the Court’s *Advisory on First Amended Complaint*. [Docket No. 948.]

Respectfully submitted,

/s/ Barry M. Golden

Barry M. Golden

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**ATTORNEYS FOR THE RECEIVER,
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via the Court’s ECF system on all counsel of record on June 14, 2012.

/s/ Barry M. Golden

Barry M. Golden