

United States Court of Appeals
Fifth Circuit

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

FILED
December 18, 2012

Lyle W. Cayce
Clerk

No. 12-11082

D.C. Docket No. 3:09-CV-988

NETSPHERE, INCORPORATED, ET AL

Plaintiffs

v.

JEFFREY BARON,

Defendant - Appellant

QUANTEC L.L.C.; NOVO POINT, L.L.C.,

Movants - Appellants

v.

PETER S. VOGEL,

Appellee

Appeal from the United States District Court for the
Northern District of Texas, Dallas

Before DeMOSS, SOUTHWICK, and HIGGINSON, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is reversed, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that appellee pay to appellants the costs on appeal to be taxed by the Clerk of this Court.

ISSUED AS MANDATE:

**A True Copy
Attest**

Clerk, U.S. Court of Appeals, Fifth Circuit

**By: _____
Deputy**

New Orleans, Louisiana