

Fill in this information to identify the case:

Debtor 1 HIGHLAND CAPITAL MANAGEMENT, L.P.

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: District of Delaware

Case number 19-12239-CSS

Official Form 410
Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor? BROWNSTEIN HYATT FARBER SCHRECK, LLP
Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?
 No
 Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
<u>SAMUEL A. SCHWARTZ, ESQ.</u>	_____
Name	Name
<u>100 NORTH CITY PARKWAY, SUITE 1600</u>	_____
Number Street	Number Street
<u>LAS VEGAS NV 89106</u>	_____
City State ZIP Code	City State ZIP Code
Contact phone <u>(702) 382-2101</u>	Contact phone _____
Contact email <u>saschwartz@bhfs.com</u>	Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?
 No
 Yes. Claim number on court claims registry (if known) _____ Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?
 No
 Yes. Who made the earlier filing? _____

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Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 2 9 1 2

7. How much is the claim? \$ 4,777.21. Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.

LEGAL SERVICES

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.

Nature of property:

- Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
- Motor vehicle
- Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____

Amount of the claim that is secured: \$ _____

Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %

- Fixed
- Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

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12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check one:

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 11/19/2019
MM / DD / YYYY

/s/ SAMUEL A. SCHWARTZ

Signature

Print the name of the person who is completing and signing this claim:

Name SAMUEL A. SCHWARTZ
First name Middle name Last name

Title CREDITOR

Company BROWSTEIN HYATT FARBER SCHRECK, LLP
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 100 NORTH CITY PARKWAY, SUITE 1600
Number Street

LAS VEGAS NV 89106

City State ZIP Code

Contact phone (702) 382-2101 Email saschwartz@bhfs.com

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KURTZMAN CARSON CONSULTANTS

HIGHLAND CAPITAL MANAGEMENT, L.P.
CASE NUMBER: 19-12239-CSS

RESERVATION OF RIGHTS

The filing of this Claim is not: (a) a waiver or release of any right or claim Brownstein Hyatt Farber Schreck, LLP, as successor, has against any person, entity or property; (b) a waiver or release of any right or claim of Brownstein Hyatt Farber Schreck, LLP arising out of any other claim, of any nature whatsoever, which Brownstein Hyatt Farber Schreck, LLP has against the Debtor; (c) a waiver or release of any rights of Brownstein Hyatt Farber Schreck, LLP under any provisions of the Bankruptcy Code or other applicable non-bankruptcy law; (d) an election of any remedy to the exclusion, express or implied, of any other remedy; (e) a consent that this Claim is a debt which is subject to discharge in this or any other bankruptcy proceeding; (f) a ratification or consent to any obligation or liability based upon or arising out of any transaction between Brownstein Hyatt Farber Schreck, LLP and the Debtor; (g) a waiver or release of any rights of Brownstein Hyatt Farber Schreck, LLP to have any and all final orders in any and all noncore matters entered only after de novo review by a United States District Court; (h) a waiver or release of any rights of Brownstein Hyatt Farber Schreck, LLP to trial by jury in any proceeding as to any and all matters to triable; or (i) a waiver or release of any rights of Brownstein Hyatt Farber Schreck, LLP to have the reference in this matter withdrawn by the United States District Court in any matter or proceeding subject to mandatory or discretionary withdrawal. All of such rights are hereby expressly reserved by Brownstein Hyatt Farber Schreck, LLP, without exemption and with no purpose of confessing or conceding any of the foregoing in any way by this filing or by any other participation in this case.

May 14, 2019

Jonathan G. Pray
Attorney at Law
303.223.1211 tel
303.223.8011 fax
jpray@bhfs.com

VIA CERTIFIED MAIL

Highland Capital Management, L.P.
Attn: Helen Kim
300 Crescent Court | Suite 700
Dallas, TX 75201

Re: Outstanding Schwartz Flansburg Invoices c/o Brownstein Hyatt Farber Schreck (BHFS)

Dear Ms. Kim.

The purpose of this letter is to demand payment for the firm's outstanding invoices on your account which is currently no less than **\$4,777.21**.

The firm has worked patiently with you regarding this account, but to date has received no response regarding the outstanding balance or a promissory note. The firm believes that it cannot wait any longer to resolve this matter.

Accordingly, the firm has no choice but to demand that you make payment on its outstanding invoices for your account. If you do not pay its outstanding invoices in full or agree to a written payment plan within the next ten business days, the firm will have no choice but to turn this matter over to its outside counsel to pursue collection in a court of appropriate jurisdiction.

Ms. Kim, the firm regrets having to send you a letter such as this, but your failure to engage in a meaningful commitment regarding BHFS' outstanding invoices has left us no choice. Please let us know how you intend to proceed. Attached is a statement of account for the outstanding balance.

Sincerely,


Jonathan G. Pray
Enclosure

19225060

410 Seventeenth Street, Suite 2200
Denver, CO 80202-4432
main 303.223.1100