

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

| | |
|---------------------------------------------------|------------------------------|
| _____) | |
| In re:) | |
| HIGHLAND CAPITAL MANAGEMENT, L.P., ¹) | Chapter 11 |
| Debtor.) | Case No. 19-34054 (SGJ) |
| _____) | |
| HIGHLAND CAPITAL MANAGEMENT, L.P.) | |
| Plaintiff,) | |
| vs.) | |
| HIGHLAND CAPITAL MANAGEMENT FUND) | Adv. Pro. No. 21-03000 (SGJ) |
| ADVISORS, L.P., NEXPOINT ADVISORS, L.P.,) | |
| HIGHLAND INCOME FUND, NEXPOINT) | |
| STRATEGIC OPPORTUNITIES FUND, NEXPOINT) | |
| CAPITAL INC., AND CLO HOLDCO, LTD.,) | |
| Defendants.) | |
| _____) | |

CERTIFICATE OF SERVICE

I, Vincent Trang, depose and say that I am employed by Kurtzman Carson Consultants LLC (“KCC”), the claims and noticing agent for the Debtor in the above-captioned case.

On January 9, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service list attached hereto as **Exhibit A**:

- **Debtor's Witness and Exhibit List with Respect to Evidentiary Hearing to be Held on January 13, 2021** [Docket No. 13]

Furthermore, on January 11, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service list attached hereto as **Exhibit A**; and via First Class Mail upon the service list attached hereto as **Exhibit B**:

¹ The Debtor’s last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.



- **Order Granting Plaintiff's Motion for Expedited Hearing on its Emergency Motion for a Temporary Restraining Order and Preliminary Injunction Against Certain Entities Owned and/or Controlled by Mr. James Dondero** [Docket No. 16]

Furthermore, on January 11, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service lists attached hereto as **Exhibit A** and **Exhibit C**:

- **WebEx Meeting Invitation to participate electronically in the hearing on Wednesday January 13, 2021 at 9:30 a.m. Central Time before the Honorable Stacey G. Jernigan**

Furthermore, on January 11, 2021, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service lists attached hereto as **Exhibit A** and **Exhibit C**; and via First Class Mail upon the service lists attached hereto as **Exhibit B** and **Exhibit D**:

- **Instructions for any counsel and parties who wish to participate in the Hearing** [Attached hereto as **Exhibit E**]

Dated: January 14, 2021

/s/ Vincent Trang
Vincent Trang
KCC
222 N Pacific Coast Highway, Suite 300
El Segundo, CA 90245

EXHIBIT A

Exhibit A

Affected Parties

Served via Electronic Mail

| Description | CreditorName | CreditorNoticeName | Email |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc. | K&L Gates LLP | Artoush Varshosaz | artoush.varshosaz@klgates.com |
| Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc. | K&L Gates LLP | James A. Wright III | james.wright@klgates.com |
| Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc. | K&L Gates LLP | Stephen G. Topetzes | stephen.topetzes@klgates.com |
| Counsel for CLO Holdco, Ltd. | Kane Russell Coleman Logan PC | John J. Kane | jkane@krcl.com |
| Counsel for CLO Holdco, Ltd. | Myers Bigel P.A. | Grant Scott, Director | gscott@myersbigel.com |
| Counsel to Official Committee of Unsecured Creditors | Sidley Austin LLP | Matthew Clemente, Alyssa Russell, Elliot A. Bromagen, Dennis M. Twomey | mclemente@sidley.com; alyssa.russell@sidley.com; ebromagen@sidley.com; dtwomey@sidley.com |
| Counsel to Official Committee of Unsecured Creditors | Sidley Austin LLP | Penny P. Reid, Paige Holden Montgomery, Juliana Hoffman, Chandler M. Rognes | preid@sidley.com; pmontgomery@sidley.com; jhoffman@sidley.com; crognes@sidley.com |

EXHIBIT B

Exhibit B
Affected Parties
Served via First Class Mail

| Description | CreditorName | CreditorNoticeName | Address1 | City | State | Zip |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------------------|------------------------------|------------|-------|------------|
| Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc. | K&L Gates LLP | Artoush Varshosaz | 1717 Main Street, Suite 2800 | Dallas | TX | 75201 |
| Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc. | K&L Gates LLP | James A. Wright III | 1 Lincoln Street | Boston | MA | 02110 |
| Counsel for Highland Capital Management Fund Advisors, L.P., Nexpoint Advisors, L.P., Highland Income Fund, Nextpoint Strategic Opportunities Fund and Nexpoint Capital Inc. | K&L Gates LLP | Stephen G. Topetzes | 1601 K Street, NW | Washington | DC | 20006-1600 |
| Counsel for CLO Holdco, Ltd. | Kane Russell Coleman Logan PC | John J. Kane | 901 Main Street, Suite 5200 | Dallas | TX | 75242-1699 |
| Counsel for CLO Holdco, Ltd. | Myers Bigel P.A. | Grant Scott, Director | 4140 Park Lake Ave, Ste 600 | Raleigh | NC | 27612 |

EXHIBIT C

Exhibit C
Core/2002 Service List
Served via Electronic Mail

| Description | CreditorName | CreditorNoticeName | Email |
|------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Counsel for Collin County Tax Assessor/Collector | Abernathy, Roeder, Boyd & Hullett, P.C. | Chad Timmons, Larry R. Boyd, Emily M. Hahn | ctimmons@abernathy-law.com; bankruptcy@abernathy-law.com; ehahn@abernathy-law.com |
| Counsel for NexBank | Alston & Bird LLP | Jared Slade | jared.slade@alston.com |
| Counsel for NexBank | Alston & Bird LLP | Jonathan T. Edwards | jonathan.edwards@alston.com |
| Counsel to Jefferies LLC | Ashby & Geddes, P.A. | William P. Bowden, Esq., Michael D. DeBaecke, Esq. | mdebaecke@ashbygeddes.com |
| Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees") | Baker & Mckenzie LLP | Debra A. Dandeneau | debra.dandeneau@bakermckenzie.com |
| Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees") | Baker & Mckenzie LLP | Michelle Hartmann | michelle.hartmann@bakermckenzie.com |
| Counsel for NWCC, LLC | Barnes & Thornburg LLP | Thomas G. Haskins, Jr. | jwelton@btlaw.com; lwolford@btlaw.com |
| Counsel to Acis Capital Management GP LLC and Acis Capital Management, L.P. (collectively, "Acis") | Blank Rome LLP | John E. Lucian, Josef W. Mintz | mintz@blankrome.com; jbibiloni@blankrome.com |
| Counsel to James Dondero | Bonds Ellis Eppich Schafer Jones LLP | D. Michael Lynn, John Y. Bonds, III, Bryan C. Assink | michael.lynn@bondsellis.com; john@bondsellis.com; bryan.assink@bondsellis.com |
| Counsel to Oracle America, Inc. | Buchalter, A Professional Corporation | Shawn M. Christianson, Esq. | schristianson@buchalter.com |
| Counsel for UBS Securities LLC and UBS AG, London Branch | Butler Snow LLP | Martin A. Sosland and Candice M. Carson | martin.sosland@butlersnow.com; candice.carson@butlersnow.com |
| Counsel to Integrated Financial Associates Inc. | Carlyon Cica Chtd. | Candace C. Carlyon, Esq., Tracy M. Osteen, Esq. | ccarlyon@carlyoncica.com; tosteen@carlyoncica.com |
| Counsel to the Intertrust Entities and the CLO Entities | Chipman, Brown, Cicero & Cole, LLP | Mark L. Desgrosseilliers | desgross@chipmanbrown.com |
| Creditor | Cole, Schotz, Meisel, Forman & Leonard, P.A. | Michael D. Warner, Esq. | mwarner@coleschotz.com |
| Counsel to Siepe LLC | Condon Tobin Sladek Thornton PLLC | J. Seth Moore | smoore@ctstlaw.com |
| Counsel to Patrick Daugherty ("Mr. Daugherty") | Cross & Simon LLC | Michael L. Vild, Esquire | mvild@crosslaw.com |
| Counsel to Jefferies LLC | Dentons US LLP | Lauren Macksoud, Esq. | lauren.macksoud@dentons.com |
| Counsel to Jefferies LLC | Dentons US LLP | Patrick C. Maxcy, Esq. | patrick.maxcy@dentons.com |
| Secured Creditor | Frontier State Bank | Attn: Steve Elliot | selliot@frontier-ok.com |
| Counsel to the Redeemer Committee of the Highland Crusader Fund | Frost Brown Todd LLC | Mark A. Platt | mplatt@fbtlaw.com |
| Counsel to Alvarez & Marsal CRF Management LLC as Investment Manager of the Highland Crusader Funds | Gibson, Dunn & Crutcher LLP | Marshall R. King, Esq., Michael A. Rosenthal, Esq. & Alan Moskowitz, Esq. | mking@gibsondunn.com; mrosenthal@gibsondunn.com; amoskowitz@gibsondunn.com |
| Counsel to Alvarez & Marsal CRF Management LLC as Investment Manager of the Highland Crusader Funds | Gibson, Dunn & Crutcher LLP | Matthew G. Bouslog, Esq. | mbouslog@gibsondunn.com |
| Counsel for the Debtor | Hayward & Associates PLLC | Melissa S. Hayward, Zachery Z. Annable | MHayward@HaywardFirm.com; ZAnnable@HaywardFirm.com |
| Counsel for the Dugaboy Investment Trust and Get Good Trust Equity Holders | Heller, Draper & Horn, L.L.C. Hunter Mountain Investment Trust | Douglas S. Draper, Leslie A. Collins, Greta M. Brouphy c/o Rand Advisors LLC | ldraper@hellerdraper.com; jcollins@hellerdraper.com; gbrouphy@hellerdraper.com jhonis@RandAdvisors.com |
| IRS | Internal Revenue Service | Attn Susanne Larson | SBSE.Insolvency.Balt@irs.gov |
| Counsel to Crescent TC Investors, L.P. | Jackson Walker L.L.P. | Michael S. Held | mheld@jw.com |
| Secured Creditor | Jefferies LLC | Director of Compliance | cbianchi@jefferies.com |
| Secured Creditor | Jefferies LLC | Office of the General Counsel | cbianchi@jefferies.com |
| Counsel to the Redeemer Committee of the Highland Crusader Fund | Jenner & Block LLP | Marc B. Hankin, Richard Levin | mhankin@jenner.com; rlevin@jenner.com |
| Counsel for CCS Medical, Inc. | Jones Day | Amanda Rush | asrush@jonesday.com |
| Counsel to the Issuers (group of 25 separate Cayman issuers of loan) | Jones Walker LLP | Joseph E. Bain, Amy K. Anderson | jbain@joneswalker.com; aanderson@joneswalker.com |

Exhibit C
Core/2002 Service List
Served via Electronic Mail

| Description | CreditorName | CreditorNoticeName | Email |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al | K&L Gates LLP | Artoush Varshosaz | artoush.varshosaz@klgates.com |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al | K&L Gates LLP | James A. Wright III | james.wright@klgates.com |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al | K&L Gates LLP | Stephen G. Topetzes | stephen.topetzes@klgates.com |
| Counsel to CLO Holdco, Ltd. | Kane Russell Coleman Logan PC | John J. Kane | jkane@krcl.com |
| Counsel for Highland CLO Funding Ltd. | King & Spalding LLP | Paul R. Bessette | pbessette@kslaw.com |
| Counsel to BET Investments II, L.P. | Kurtzman Steady, LLC | Jeffrey Kurtzman, Esq. | Kurtzman@kurtzmansteady.com |
| Counsel to UBS Securities LLC and UBS AG London Branch ("UBS") | Latham & Watkins LLP | Asif Attarwala | asif.attarwala@lw.com |
| Counsel to UBS Securities LLC and UBS AG London Branch ("UBS") | Latham & Watkins LLP | Jeffrey E. Bjork | jeff.bjork@lw.com |
| Counsel to Coleman County TAD, Kaufman County, Upshur County, Fannin CAD, Tarrant County, Grayson County, Allen ISD, Dallas County, Irving ISD, and Rockwall CAD | Linebarger Goggan Blair & Sampson LLP | Elizabeth Weller, Laurie A. Spindler | dallas.bankruptcy@publicans.com |
| Counsel for Jack Yang and Brad Borud | Loewinsohn Flegle Deary Simon LLP | Daniel P. Winikka | danw@lfdslaw.com |
| Creditor | Lynn Pinker Cox & Hurst, L.L.P. | Michael K. Hurst, Esq. | mhurst@lynnllp.com |
| Equity Holders | Mark K. Okada | | mokadadallas@gmail.com |
| Counsel to the Redeemer Committee of the Highland Crusader Fund | Morris, Nichols, Arsht & Tunnell LLP | Curtis S. Miller, Kevin M. Coen | rdehney@mnat.com; cmiller@mnat.com |
| Counsel to Meta-e Discovery, LLC | Morrison Cohen LLP | Joseph T. Moldovan, Esq. & Sally Siconolfi, Esq. | bankruptcy@morrisoncohen.com |
| Bank | NexBank | John Danilowicz | john.holt@nexbankcapital.com |
| Counsel to California Public Employees' Retirement System ("CalPERS") | Nixon Peabody LLP | Louis J. Cisz, III, Esq. | lcisz@nixonpeabody.com |
| SEC Headquarters | Office of General Counsel | Securities & Exchange Commission | SECBankruptcy-OGC-ADO@SEC.GOV |
| US Trustee for Northern District of TX | Office of the United States Trustee | Lisa L. Lambert, Esq | lisa.l.lambert@usdoj.gov |
| Counsel for the Debtor | Pachulski Stang Ziehl & Jones LLP | John A. Morris and Gregory V. Demo | jmorris@pszjlaw.com; gdemo@pszjlaw.com |
| Counsel for the Debtor | Pachulski Stang Ziehl & Jones LLP | Maxim B. Litvak | mlitvak@pszjlaw.com |
| Counsel for the Debtor | Pachulski Stang Ziehl & Jones LLP | Richard M. Pachulski, Jeffrey N. Pomerantz, Ira D. Kharasch, James E. O'Neill | rpachulski@pszjlaw.com; jpomerantz@pszjlaw.com; ikharasch@pszjlaw.com; joneill@pszjlaw.com |
| Counsel for the Debtor | Pachulski Stang Ziehl & Jones LLP | Richard M. Pachulski, Jeffrey N. Pomerantz, Ira D. Kharasch, James E. O'Neill | rpachulski@pszjlaw.com; jpomerantz@pszjlaw.com; ikharasch@pszjlaw.com; joneill@pszjlaw.com |
| Pension Benefit Guaranty Corporation ("PBGC") | Pension Benefit Guaranty Corporation | Michael I. Baird | baird.michael@pbgc.gov; efile@pbgc.gov |
| Counsel to City of Garland, Garland ISD, Wylie ISD | Perdue, Brandon, Fielder, Collins & Mott, L.L.P. | Linda D. Reece | lreece@pbfc.com |
| Delaware counsel to Alvarez & Marsal CRF Management LLC | Potter Anderson & Corroon LLP | Jeremy W. Ryan, Esq., R. Stephen McNeill, Esq. & D. Ryan Slaugh, Esq. | jryan@potteranderson.com; rmcneill@potteranderson.com; rslaugh@potteranderson.com |
| Secured Creditor | Prime Brokerage Services | Jefferies LLC | cbianchi@jefferies.com |
| Counsel to Patrick Daugherty | Spencer Fane LLP | Jason P. Kathman | jkathman@spencerfane.com |
| Counsel to UBS Securities LLC and UBS AG London Branch ("UBS") | Richards, Layton & Finger PA | Michael J. Merchant, Sarah E. Silveira | merchant@rif.com; silveira@rif.com |
| Counsel to Hunter Mountain Trust | Rochelle McCullough, LLP | E. P. Keiffer | pkeiffer@romclaw.com |
| Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees") | Ross & Smith, PC | Judith W. Ross, Frances A. Smith, Eric Soderlund | judith.ross@judithwross.com; frances.smith@judithwross.com; eric.soderlund@judithwross.com |
| Counsel to the Intertrust Entities and the Issuers (group of 25 separate Cayman issuers of loan) | Schulte Roth & Zabel LLP | David J. Karp, James V. Williams III | david.karp@srz.com; jay.williams@srz.com |

Exhibit C
Core/2002 Service List
Served via Electronic Mail

| Description | CreditorName | CreditorNoticeName | Email |
|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| SEC Regional Office | Securities & Exchange Commission | Andrew Calamari, Regional Director | bankruptcynoticeschr@sec.gov; nyrobankruptcy@sec.gov |
| SEC Regional Office | Securities & Exchange Commission | Sharon Binger, Regional Director | philadelphia@sec.gov |
| Counsel to Official Committee of Unsecured Creditors | Sidley Austin LLP | Matthew Clemente, Alyssa Russell, Elliot A. Bromagen | mclemente@sidley.com; alyssa.russell@sidley.com; ebromagen@sidley.com |
| Counsel to Official Committee of Unsecured Creditors | Sidley Austin LLP | Penny P. Reid, Paige Holden Montgomery, Charles M. Person, Juliana Hoffman | preid@sidley.com; pmontgomery@sidley.com; cpersons@sidley.com; jhoffman@sidley.com |
| DE Secretary of State | State of Delaware | Division of Corporations - Franchise Tax | dosdoc_bankruptcy@state.de.us |
| Counsel to the Hunter Mountain Trust ("Hunter") | Sullivan Hazeltine Allinson LLC | William A. Hazeltine, Esq. | whazeltine@sha-llc.com |
| Equity Holders | The Dugaboy Investment Trust | | gscott@myersbigel.com |
| Equity Holders | The Mark and Pamela Okada Family Trust - Exempt Trust #1 | | mokadadallas@gmail.com |
| Equity Holders | The Mark and Pamela Okada Family Trust - Exempt Trust #2 | | mokadadallas@gmail.com |
| Counsel to the United States Internal Revenue Service | U.S. Department of Justice, Tax Division | David G. Adams | david.g.adams@usdoj.gov |
| United States Attorney General | United States Attorney General | U.S. Department of Justice | askdoj@usdoj.gov |
| Counsel to Acis Capital Management GP LLC and Acis Capital Management, L.P. (collectively, "Acis") | Winstead PC | Rakhee V. Patel, Phillip Lamberson | rpatel@winstead.com; plamberson@winstead.com; achiarello@winstead.com |
| Counsel for Frank Waterhouse, Scott B. Ellington, Isaac Leventon, Jean Paul Sevilla, Hunter Covitz, and Thomas Surgent (the "Employees") | Winston & Strawn LLP | Attn: David Neier | dneier@winston.com |
| Counsel for Frank Waterhouse, Scott B. Ellington, Isaac Leventon, Jean Paul Sevilla, Hunter Covitz, and Thomas Surgent (the "Employees") | Winston & Strawn LLP | Attn: Katherine A. Preston | kpreston@winston.com |
| Counsel for Frank Waterhouse, Scott B. Ellington, Isaac Leventon, Jean Paul Sevilla, Hunter Covitz, and Thomas Surgent (the "Employees") | Winston & Strawn LLP | Attn: Thomas M. Melsheimer; Natalie L. Arbaugh | tmelsheimer@winston.com; narbaugh@winston.com |
| Counsel to Official Committee of Unsecured Creditors | Young Conaway Stargatt & Taylor, LLP | Michael R. Nestor, Edmon L. Morton, Sean M. Beach, Esq., Jaclyn C. Weissgerber, Esq. | bankfilings@ycst.com; mnestor@ycst.com; emorton@ycst.com; sbeach@ycst.com; jweissgerber@ycst.com |

EXHIBIT D

Exhibit D
Core/2002 Service List
Served via First Class Mail

| Description | CreditorName | CreditorNoticeName | Address1 | Address2 | Address3 | City | State | Zip |
|-------------------------------------------------|--------------------------------------|------------------------------------------------|----------------------------------|-----------------------------------------|----------------------|--------------|-------|------------|
| Bank | BBVA | Michael Doran | 8080 North Central Expressway | Suite 1500 | | Dallas | TX | 75206 |
| IRS | Internal Revenue Service | Centralized Insolvency Operation | PO Box 7346 | | | Philadelphia | PA | 19101-7346 |
| Secured Creditor | KeyBank National Association | as Administrative Agent | 225 Franklin Street, 18th Floor | | | Boston | MA | 02110 |
| Secured Creditor | KeyBank National Association | as Agent | 127 Public Square | | | Cleveland | OH | 44114 |
| Texas Attorney General | Office of the Attorney General | Ken Paxton | 300 W. 15th Street | | | Austin | TX | 78701 |
| Attorney General of the United States | Office of the Attorney General | | Main Justice Building, Room 5111 | 10th & Constitution Avenue, N.W. | | Washington | DC | 20530 |
| US Attorneys Office for Northern District of TX | Office of the United States Attorney | Erin Nealy Cox, Esq | 1100 Commerce Street, 3rd Floor | | | Dallas | TX | 75202 |
| TX Comptroller of Public Accounts | State Comptroller of Public Accounts | Revenue Accounting Division-Bankruptcy Section | PO Box 13258 | | | Austin | TX | 78711 |
| Equity Holders | Strand Advisors, Inc. | | 300 Crescent Court | Suite 700 | | Dallas | TX | 75201 |
| TX AG Office | Texas Attorney Generals Office | Bankruptcy-Collections Division | PO Box 12548 | | | Austin | TX | 78711-2548 |
| U.S. Department of the Treasury | US Department of the Treasury | Office of General Counsel | 1500 Pennsylvania Avenue, NW | | | Washington | DC | 20220 |
| Delaware Division of Revenue | Zillah A. Frampton | Bankruptcy Administrator | Delaware Division of Revenue | Carvel State Office Building, 8th Floor | 820 N. French Street | Wilmington | DE | 19801 |

EXHIBIT E

Judge Jernigan - January 13, 2021 at 9:30 a.m.

Hosted by Judge Stacey Jernigan

When it is time to join the meeting, click the link below:

<https://us-courts.webex.com/us-courts/j.php?MTID=m99214ec1f81b85f1c20c2714d608dd16>

Wednesday, Jan 13, 2021 9:30 am | 9 hours | (UTC-06:00) Central Time (US & Canada)

Meeting number: 180 733 7420

Password: bankruptcy

Join by phone

1-650-479-3207 Call-in toll number (US/Canada)

Access code: 180 733 7420

21-3000 Highland Capital Management, L.P. v. Highland Capital Management Fund Advisors, L.P. et
Emergency motion for TRO

CONNECTION INSTRUCTIONS FOR PARTICIPATING IN A WEBEX VIRTUAL HEARING

The court will allow participation in a virtual hearing using either of the following two methods. Please connect at least 10 minutes prior to the hearing time. It is recommended that attorneys discuss the logistics of the WebEx appearance with their clients/witnesses at least 48 hours before the hearing.

Option 1: Using the WebEx app on your smartphone, tablet, laptop, or desktop.

It is strongly preferred that participants who may speak during a hearing use the WebEx application rather than using the "call-in" option described in Option 2.

Witnesses and attorneys who anticipate giving extensive legal argument or conducting examination are required to utilize the video function. The court may consider special requests for other appearance options on a case by case basis.

Please connect using only one device. Using two or more devices may cause audio feedback issues.

If using a phone or tablet for video, it should be set in a stationary position. Holding a phone or tablet in your hand while speaking does not yield a good video for the court.

NOTE: If you are experiencing audio issues when using the WebEx application, you may use the "Call Me At" selection under "Audio Connection" to move just the audio portion of the WebEx conference to your telephone.

Option 2: Call-in via phone (audio only).

The meeting number/access code changes with each meeting and will be made available, along with the dial-in number on the WebEx link and instructions sheet found on the judge's webpage and/or on the ECF docket for the case.

HELPFUL HINTS AND ETIQUETTE

- A. Please use the mute function when you are not speaking. Please be aware that sometimes the court mutes everyone when there is background noise. When you want to speak, make sure you are not on mute. Call-in users should dial *6 to unmute your line.
- B. Remember to state your name for the record each time before speaking and speak slowly and clearly so the court can get a good record.
- C. Use headphones whenever possible, especially if using a desktop PC with external speakers. We have found that newer iPhones provide the best visual and audio feed – better than most desktop computers. If you are on a personal computer, headphones or earbuds are required for those who need to speak during the hearing.
- D. During examination, attorneys and witnesses should use a separate camera and microphone when possible. To avoid feedback, parties using separate devices must not be in the same room. The court may consider special requests on a case by case basis.
- E. WebEx participants may use the "share" button to easily share their screen or document with the court or other WebEx participants. Press "stop sharing" to remove the presentation from the meeting.
- F. When making an appearance from a vehicle, please park in a safe location with windows rolled up (to minimize background distraction and noise) and use a headset that is ear-to-phone (not the vehicle's hands-free speaker-phone option).
- G. Suggestions for those participating in a WebEx hearing from home: If you are having connectivity problems, turn off devices that may be using bandwidth on your home network. Devices or applications such as Facetime, Roku, streaming media players, video games, or large downloads can negatively impact the audio and video quality of the WebEx meeting.
- H. Participants are reminded that they should wear attire suitable for court.
- I. Participants who wish to test their WebEx connection or the share screen functionality in advance of the hearing may arrange a "practice run" by contacting the courtroom deputy.

EXHIBITS AND DEMONSTRATIVE AIDS

Exhibits should be filed ahead of time by the date that they would normally be exchanged pursuant to our local rules using the "notice" or "list (witness/exhibit/generic)" event in ECF. For voluminous exhibits, please contact the courtroom deputy, as it may be necessary for you to provide the court with an exhibit notebook or zip file in advance of the hearing.

Demonstrative aids and Power Points should also be filed prior to the hearing, if possible. If not, WebEx has the ability to allow you to share your screen, or a particular document, with everyone in the hearing. If these documents are admitted as exhibits, they would then have to be filed after the hearing.

During the hearing, lawyers can refer to (and offer) their exhibits by referencing the exhibit's docket number for the court and all to access. After the hearing, the court will create a Minute Entry reflecting which exhibits were admitted. You should consider emailing exhibits to witnesses ahead of time since they may not have access to PACER.