



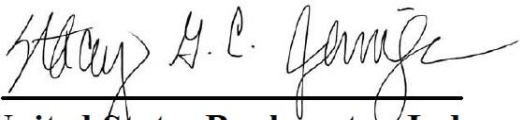
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed February 24, 2021


United States Bankruptcy Judge

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

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Debtor.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT FUND
ADVISORS, L.P., NEXPOINT ADVISORS, L.P.,
HIGHLAND INCOME FUND, NEXPOINT
STRATEGIC OPPORTUNITIES FUND,
NEXPOINT CAPITAL, INC., AND CLO
HOLDCO, LTD,

Defendants.

§
§ Chapter 11
§
§ Case No. 19-34054-sgj11
§
§
§
§ Adversary Proceeding No.
§
§ 21-03000-sgj
§
§
§
§
§
§
§
§

AGREED ORDER FURTHER EXTENDING TEMPORARY RESTRAINING ORDER

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.



WHEREAS, on January 13, 2021, the Court entered its *Agreed Order Granting Debtor's Motion for a Temporary Restraining Order against Certain Entities Owned and/or Controlled by Mr. James Dondero* [Docket No. 20] (the "Initial TRO") at the request of Highland Capital Management, L.P. (the "Plaintiff"). Capitalized terms used in this Order shall have the meanings ascribed to them in the Initial TRO;¹ and

WHEREAS, on February 9, 2021, the Court entered its *Agreed Order Extending Temporary Restraining Order* [Docket No. 64] (the "Extended TRO" and together with the Initial TRO, the "TRO").

By the signatures of their respective counsel below, the Plaintiff and the Defendants have agreed to the entry of this Order further extending the term of the TRO. Finding such agreement to be lawful and appropriate, it is hereby:

ORDERED that paragraph 4 of the Initial TRO is deemed deleted and replaced in its entirety with the following new paragraph 4: "This Order shall remain in effect until the earlier of: (a) the Effective Date of the Plan, or (b) the Court's entry of an order determining the Debtor's motion for a preliminary injunction against the Defendants in the above-referenced Adversary Proceeding, which the parties will seek to have heard on March 29, 2021, or as soon thereafter as the Court may determine (the earlier of the two foregoing dates, the "TRO Termination Date")"; and it is further

ORDERED that all other provisions of the TRO shall remain in effect until the TRO Termination Date.

END OF ORDER

² A sixth defendant, CLO Holdco, Ltd., reached an agreement with the Plaintiff that resolved all issues between that defendant and the Plaintiff raised in this Adversary Proceeding. Accordingly, that defendant is not subject to this Order.

AGREED AS TO FORM AND SUBSTANCE:

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz (CA Bar No. 143717)

Ira D. Kharasch (CA Bar No. 109084)

John A. Morris (NY Bar No. 266326)

Gregory V. Demo (NY Bar No. 5371992)

Hayley R. Winograd (NY Bar No. 5612569)

10100 Santa Monica Blvd., 13th Floor

Los Angeles, CA 90067

Telephone: (310) 277-6910

Facsimile: (310) 201-0760

Email: jpomerantz@pszjlaw.com

ikharasch@pszjlaw.com

jmorris@pszjlaw.com

gdemo@pszjlaw.com

hwinograd@pszjlaw.com

-and-

HAYWARD PLLC

/s/ Zachery Z. Annable

Melissa S. Hayward

Texas Bar No. 24044908

MHayward@HaywardFirm.com

Zachery Z. Annable

Texas Bar No. 24053075

ZAnnable@HaywardFirm.com

10501 N. Central Expy, Ste. 106

Dallas, Texas 75231

Tel: (972) 755-7100

Fax: (972) 755-7110

Counsel for Highland Capital Management, L.P.

-and-

K&L GATES LLP

/s/ A. Lee Hogewood, III

A. Lee Hogewood, III (*pro hac vice*)
4350 Lassiter at North Hills Ave., Suite 300
Raleigh, NC 27609
Telephone: (919) 743-7306
E-mail: Lee.hogewood@klgates.com

Stephen G. Topetzes (*pro hac vice*)
1601 K Street, NW
Washington, DC 20006-1600
Telephone: (202) 778-9328
E-mail: stephen.topetzes@klgates.com

Artoush Varshosaz (TX Bar No. 24066234)
1717 Main Street, Suite 2800
Dallas, TX 75201
Telephone: (214) 939-5659
E-mail: artoush.varshosaz@klgates.com

- and -

MUNSCH HARDT KOPF & HARR, P.C.

Davor Rukavina
Texas Bar No. 24030781
Julian P. Vasek, Esq.
Texas Bar No. 24070790
3800 Ross Tower
500 N. Akard Street
Dallas, Texas 75201-6659
Telephone: (214) 855-7500
Facsimile: (214) 855-7584
E-mail: drukavina@munsch.com

*Counsel for Highland Capital Management Fund Advisors, L.P.,
NexPoint Advisors, L.P., Highland Income Fund,
NexPoint Strategic Opportunities Fund, and NexPoint Capital, Inc.*