

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

In re: §
§
HIGHLAND CAPITAL MANAGEMENT, §
L.P., § Bankruptcy Case No. 19-34054
§
Debtor. §

HIGHLAND CAPITAL MANAGEMENT §
FUND ADVISORS, L.P. and NEXPOINT §
ADVISORS, L.P., §
§
Appellants, §
§
v. § Civil Action No. 3:21-cv-538-N
§

HIGHLAND CAPITAL MANAGEMENT, §
L.P., §
§
Appellee. §

HIGHLAND GLOBAL ALLOCATION §
FUND, HIGHLAND INCOME FUND, §
NEXPOINT CAPITAL, INC., and §
NEXPOINT STRATEGY §
OPPORTUNITIES FUND §
§
Appellants, §
§
v. § Civil Action No. 3:21-cv-539-N
§

HIGHLAND CAPITAL MANAGEMENT, §
L.P., §
§
Appellee. §

JAMES DONDERO, §
§
Appellant, §
§



v.	§	Civil Action No. 3:21-cv-546-N
	§	
HIGHLAND CAPITAL MANAGEMENT,	§	
L.P.,	§	
	§	
Appellee.	§	

THE DUGABOY INVESTMENT TRUST	§	
AND GET GOOD TRUST	§	
	§	
Appellants,	§	

v.	§	Civil Action No. 3:21-cv-550-N
	§	
HIGHLAND CAPITAL MANAGEMENT,	§	
L.P.,	§	
	§	
Appellee.	§	

ORDER

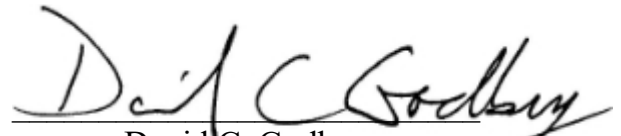
This Order addresses Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P. (collectively, the “Advisors”), The Dugaboy Investment Trust, and Get Good Trust’s motion for stay pending appeal. The Court denies the motion.

This is a bankruptcy case concerning Highland Capital Management, L.P. On February 22, 2021, the Bankruptcy Court entered the *Order Confirming the Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified) and (ii) Granting Related Relief* (the “Confirmation Order”). Appellants filed motions for stay in the Bankruptcy Court and initiated four separate appeals of the Confirmation Order to this Court. The Bankruptcy Court denied the motions for stay and certified a direct appeal to the Fifth Circuit. The Advisors then filed this motion for stay pending the outcome of their

appeal to the Fifth Circuit. The Dugaboy Investment Trust and the Get Good Trust then filed a motion adopting the Advisors' motion.

Shortly after this motion became ripe, the Advisors filed a similar motion to the Fifth Circuit. The Fifth Circuit ultimately denied that motion. *See Order, NexPoint v. Highland Capital Mgmt., No. 21-10449 (5th Cir. June 21, 2021)*. Because the Fifth Circuit has already reviewed and denied a motion with identical arguments, the Court denies this motion for stay pending appeal.

Signed June 23, 2021.


David C. Godbey
United States District Judge