

Case No. 3:21-cv-01895-D

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

In re: HIGHLAND CAPITAL MANAGEMENT, L.P.,
Reorganized Debtor.

HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P., NEXPOINT
ADVISORS, L.P., and THE DUGABOY INVESTMENT TRUST,
Appellants,

v.

HIGHLAND CAPITAL MANAGEMENT, L.P.,
Appellee

On Appeal from the United States Bankruptcy Court
for the Northern District of Texas, Case No. 19-34054-sgj11
Hon. Stacey G. C. Jernigan

APPELLEE'S REQUEST FOR RULING

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Appellee Highland Capital Management, L.P. (“Debtor” or “Highland”), by and through the undersigned counsel, respectfully requests a ruling from this Court on *Appellee’s Motion to Dismiss Appeal as Equitably Moot* (the “Motion”). See ECF No. 14. Highland’s Motion was filed on October 15, 2021. Pursuant to Rule 8013(a)(3) of the Federal Rules of Bankruptcy Procedure, any response to Highland’s Motion from Appellants must be filed with seven days of service of the Motion. Appellants’ deadline to respond was October 22, 2021 and, as of the moment of this filing, no Appellant has filed a response. Highland’s Motion is therefore unopposed and ripe for decision.

Highland makes this request to avoid undue delay and promote judicial efficiency. Appellants filed the *Joint Opening Brief of the Appellants* on October 18, 2021. See ECF No. 16. Appellee’s brief is therefore due no later than November 17, 2021. Highland’s unopposed Motion to dismiss this appeal would necessarily absolve Highland of the need to incur considerable expense to draft and file its opening brief.

Dated: October 26, 2021.

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CERTIFICATE OF SERVICE

I hereby certify that, on October 26, 2021, a true and correct copy of the foregoing document was served electronically upon all parties registered to receive electronic notice in this case via the Court's CM/ECF system.

/s/ Zachery Z. Annable

Zachery Z. Annable