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ATTORNEYS FOR NEXPOINT ADVISORS, L.P.

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

In re:	§	
	§	Chapter 11
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
	§	Case No. 19-34054-sgj11
Debtor.	§	
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HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
	§	
Plaintiff,	§	Adv. No. 21-03005-sgj
	§	
vs.	§	Civ. Act. No. 3:21-cv-00880-C
	§	
NEXPOINT ADVISORS, L.P., JAMES	§	
DONDERO, NANCY DONDERO, AND THE	§	
DUGABOY INVESTMENT TRUST,	§	
	§	
Defendants.	§	

**OBJECTION OF NEXPOINT ADVISORS, L.P. TO ORDER DENYING MOTIONS TO EXTEND EXPERT DISCLOSURE AND DISCOVERY DEADLINES**

COMES NOW NexPoint Advisors, L.P. ("NexPoint"), one of the defendants in the above styled and numbered Adversary Proceeding initiated by Highland Capital Management, L.P. as the plaintiff (the "Debtor"), and files this its *Objection to Order Denying Motions to Extend Expert Disclosure and Discovery Deadlines* (the "Objection"), respectfully stating as follows:

Pursuant to Rules 54(b), 72(a) and Local Civil Rule 72.1, NexPoint seeks the District Court's review of the Bankruptcy Court's *Order Denying Motions to Extend Expert Disclosure and Discovery Deadlines* (the "Order"). For the reasons set forth in its brief, filed



contemporaneously with this Objection and incorporated herein by reference, NexPoint submits that, in denying NexPoint leave to extend the expert disclosure and discovery deadlines, the Order is clearly erroneous and contrary to law and should, therefore, be reconsidered and reversed by the District Court.

RESPECTFULLY SUBMITTED this the 5th day of January, 2022.

**MUNSCH HARDT KOPF & HARR, P.C.**

By: /s/ Davor Rukavina

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**ATTORNEYS FOR NEXPOINT ADVISORS,  
L.P.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on January 5, 2022, a true and correct copy of the foregoing document, including any exhibit(s) thereto, was served on the following recipients via the Court's CM/ECF system:

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/s/ Davor Rukavina

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DONDERO, NANCY DONDERO, AND THE	§	
DUGABOY INVESTMENT TRUST,	§	
	§	
Defendants.	§	

**ORDER SUSTAINING OBJECTION OF NEXPOINT ADVISORS, L.P.  
TO ORDER DENYING MOTIONS TO EXTEND EXPERT  
DISCLOSURE AND DISCOVERY DEADLINES**

Came on for consideration the *Objection to Order Denying Motions to Extend Expert Disclosure and Discovery Deadlines* (the “Objection”), filed by NexPoint Advisors, L.P. (“NexPoint”), one of the defendants in the above styled and numbered Adversary Proceeding initiated by Highland Capital Management, L.P. as the plaintiff (the “Debtor”). Having considered the relief requested in the Objection, it is hereby—

ORDERED that the Objection is SUSTAINED; it is further—

ORDERED that Bankruptcy Court’s *Order Denying Motions to Extend Expert Disclosure and Discovery Deadlines* (Bk. Dkt. 138) is hereby VACATED; it is further—

ORDERED that NexPoint’s *Motion to Extend Expert Disclosure and Discovery Deadlines* (Bk. Dkt. 86) is hereby GRANTED; it is further—

ORDERED that the *Notice of Expert Report of Steven J. Pully* (Bk. Dkt. 120) is deemed timely; and it is further—

ORDERED that the Debtor shall have 30 days from the date of the entry of this order to designate any rebuttal expert, and expert discovery shall close 90 days following the entry of this order.

Dated January \_\_\_\_, 2022.

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Hon. Brantley Starr,  
U.S. District Court Judge