



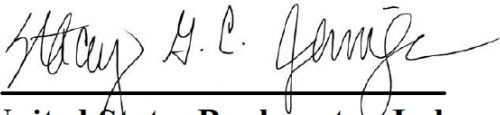
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

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 January 31, 2022


United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

| | | |
|--|---|-------------------------|
| In re: | § | |
| | § | |
| HIGHLAND CAPITAL MANAGEMENT, L.P. | § | Chapter 11 |
| | § | |
| Debtor. | § | Case No. 19-34054-sgj11 |
| <hr/> | | |
| HIGHLAND CAPITAL MANAGEMENT, L.P., | § | |
| | § | |
| Plaintiff, | § | |
| | § | |
| v. | § | Adv. No. 21-03010-sgj |
| | § | |
| HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P. and NEXPOINT ADVISORS, L.P., | § | |
| | § | |
| Defendants. | § | |

AGREED AMENDED SCHEDULING ORDER

CAME ON FOR CONSIDERATION the *Joint Motion to Continue Trial and Extend Scheduling Order* (the "Motion"), filed jointly by Highland Capital Management, L.P., Highland Capital Management Fund Advisors, L.P., and NexPoint Advisors, L.P. (each a "Party" and



collectively the “Parties”). Having considered the Motion, finding that the relief requested is lawful and appropriate, and finding that there is no further need for notice of the Motion or of any hearing on the Motion, it is hereby:

ORDERED that the Motion is GRANTED; it is further

ORDERED that the trial of this Adversary Proceeding is RESET to commence on April 12, 2022 at 9:30 a.m. and continuing on April 13, 2022; it is further

ORDERED that:

- (i) depositions will be completed by March 15, 2022;
- (ii) except with respect to impeachment and rebuttal exhibits and witnesses, each Party shall file, and serve on each other Party, a list of its trial witnesses and exhibits, and shall exchange exhibits, on or before March 22, 2022;
- (iii) objections to exhibits shall be filed on or before March 29, 2022, or shall be deemed waived;
- (iv) a joint pretrial order, in compliance with the Court’s Local Rules, shall be filed on or before April 5, 2022;
- (v) any Party wishing to file a trial brief shall file one on or before April 5, 2022;

it is further

ORDERED that this Order supersedes any prior scheduling order and that, any deadline having expired in any such prior order not extended by this Order shall remain expired; it is further

ORDERED that the Court retains jurisdiction over all disputes concerning the interpretation and enforcement of this Order.

END OF ORDER

AGREED:

| | |
|--|--|
| <p>MUNSCH HARDT KOPF & HARR, P.C.</p> <p>By: <u>/s/ Davor Rukavina</u> Davor Rukavina, Esq. State Bar No. 24030781 Julian P. Vasek, Esq. State Bar No. 24070790 500 N. Akard St., Ste. 3800 Dallas, TX 75201 Tel: 214-855-7500 Fax: 214-855-7584</p> <p>ATTORNEYS FOR THE ADVISORS</p> | <p>PACHULSKI STANG ZIEHL & JONES LLP</p> <p>Jeffrey N. Pomerantz (CA Bar No. 143717) 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 jmorris@pszjlaw.com gdemo@pszjlaw.com hwinograd@pszjlaw.com</p> <p>-and-</p> <p>HAYWARD PLLC</p> <p><u>/s/ Zachery Z. Annable (w /permission)</u> Melissa S. Hayward (Texas Bar No. 24044908) Zachery Z. Annable (Texas Bar No. 24053075) 10501 N. Central Expy, Ste. 106 Dallas, Texas 75231 Telephone: (972) 755-7100 Facsimile: (972) 755-7110 Email: MHayward@HaywardFirm.com ZAnnable@HaywardFirm.com</p> <p>Counsel for Highland Capital Management, L.P.</p> |
|--|--|

United States Bankruptcy Court
Northern District of TexasHighland Capital Management, L.P.,
Plaintiff
Highland Capital Management Fund Advisor,
Defendant

Adv. Proc. No. 21-03010-sgj

CERTIFICATE OF NOTICE

District/off: 0539-3

User: admin

Page 1 of 2

Date Rcvd: Feb 01, 2022

Form ID: pdf023

Total Noticed: 3

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 03, 2022:

| Recip ID | Recipient Name and Address |
|----------|---|
| dft | + Highland Capital Management Fund Advisors, L.P., K&LGates LLP, c/o Stephen G. Topetztes, 1600 K Street, NW, Washington, DC 20006-2806 |
| dft | + NexPoint Advisors, L.P., K&L Gates LLP, c/o Stephen G. Topetztes, 1600 K Street, NW, Washington, DC 20006-2806 |

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|--|----------------------|--|
| ust | + Email/Text: ustregion06.da.ecf@usdoj.gov | Feb 02 2022 00:10:00 | United States Trustee, 1100 Commerce Street, Room 976, Dallas, TX 75242-0996 |

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 03, 2022

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 1, 2022 at the address(es) listed below:

| Name | Email Address |
|----------------------|---|
| A. Lee Hogewood, III | on behalf of Defendant NexPoint Advisors L.P. lee.hogewood@klgates.com, haley.fields@klgates.com;matthew.houston@klgates.com;mary-beth.pearson@klgates.com;litigation.docketing@klgates.com;Em ily.mather@klgates.com;Artoush.varshosaz@klgates.com |
| A. Lee Hogewood, III | |

District/off: 0539-3
Date Rcvd: Feb 01, 2022

User: admin
Form ID: pdf023

Page 2 of 2
Total Noticed: 3

on behalf of Defendant Highland Capital Management Fund Advisors L.P. lee.hogewood@klgates.com, haley.fields@klgates.com;matthew.houston@klgates.com;mary-beth.pearson@klgates.com;litigation.docketing@klgates.com;Emily.mather@klgates.com;Artoush.varshosaz@klgates.com

Davor Rukavina

on behalf of Defendant NexPoint Advisors L.P. drukavina@munsch.com

Davor Rukavina

on behalf of Defendant Highland Capital Management Fund Advisors L.P. drukavina@munsch.com

Julian Preston Vasek

on behalf of Defendant NexPoint Advisors L.P. jvasek@munsch.com

Julian Preston Vasek

on behalf of Defendant Highland Capital Management Fund Advisors L.P. jvasek@munsch.com

Juliana Hoffman

on behalf of Interested Party Committee of Unsecured Creditors jhoffman@sidley.com
txefilingnotice@sidley.com;julianna-hoffman-8287@ecf.pacerpro.com

Matthew A. Clemente

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matthew-clemente-8764@ecf.pacerpro.com;efilingnotice@sidley.com;ebromagen@sidley.com;alyssa.russell@sidley.com;dtwomey@sidley.com

Paige Holden Montgomery

on behalf of Interested Party Committee of Unsecured Creditors pmontgomery@sidley.com
txefilingnotice@sidley.com;paige-montgomery-7756@ecf.pacerpro.com;crognes@sidley.com;ebromagen@sidley.com;efilingnotice@sidley.com

Zachery Z. Annable

on behalf of Plaintiff Highland Capital Management L.P. zannable@haywardfirm.com

TOTAL: 10