



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 11, 2022

United States Bankruptcy Judge

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

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

JAMES DONDERO, NANCY DONDERO, AND THE
DUGABOY INVESTMENT TRUST,

Defendants.

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§ Adv. Proc. No. 21-03003-sgj
§
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§
§
§ Case No. 3:21-cv-01010-E
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HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT FUND
ADVISORS, L.P.,

Defendant.

§
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§
§ Adv. Proc. No. 21-03004-sgj
§
§
§
§ Case No. 3:21-cv-00881-X
§
§

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

NEXPOINT ADVISORS, L.P., JAMES
DONDERO, NANCY DONDERO, AND
THE DUGABOY INVESTMENT TRUST,

Defendants.

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§ Adv. Proc. No. 21-03005-sgj
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§ Case No. 3:21-cv-00880-C
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§

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT
SERVICES, INC., JAMES DONDERO,
NANCY DONDERO, AND THE DUGABOY
INVESTMENT TRUST,

Defendants.

§
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§ Adv. Proc. No. 21-03006-sgj
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§ Case No. 3:21-cv-01378-N
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|------------------------------------|-------------------------------|
| ----- | § |
| HIGHLAND CAPITAL MANAGEMENT, L.P., | § |
| | § |
| Plaintiff, | § Adv. Proc. No. 21-03007-sgj |
| | § |
| vs. | § |
| | § |
| HCRE PARTNERS, LLC (n/k/a NexPoint | § Case No. 3:21-cv-01379-X |
| Real Estate Partners, LLC), JAMES | § |
| DONDERO, NANCY DONDERO, AND | § |
| THE DUGABOY INVESTMENT TRUST, | § |
| | § |
| Defendants. | § |
| ----- | § |

**ORDER GRANTING
MOTION TO CONTINUE HEARING ON HIGHLAND CAPITAL MANAGEMENT,
L.P.’S MOTION FOR PARTIAL SUMMARY JUDGMENT IN NOTES ACTIONS**

Having considered the *Motion to Continue Hearing on Highland Capital Management, L.P.’s Motion for Partial Summary Judgment in Notes Actions* (the “Motion”)¹ filed by Highland Capital Management, L.P. (“Highland” or the “Reorganized Debtor”), the reorganized debtor in the above-captioned chapter 11 case (the “Bankruptcy Case”) and plaintiff in the above-referenced adversary proceedings (each, an “Adversary Proceeding” and collectively, the “Adversary Proceedings” or “Notes Actions”), the Court finds that good cause exists to grant the Motion. Accordingly, it is **HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** as set forth herein.
2. The Hearing on Highland’s *Motion for Partial Summary Judgment in Notes Actions* (the “Summary Judgment Motion”)² originally scheduled to take place on Tuesday, March 8, 2022, at 9:30 a.m. (Central Time) will now take place on **Wednesday, March 23, 2022, at 9:30 a.m. (Central Time).**

¹ Capitalized terms not otherwise defined in this Order have the meanings ascribed to them in the Motion.

² Adv. Proc. No. 21-3003, Dkt. No. 132; Adv. Proc. No. 21-3004, Dkt. No. 91; Adv. Proc. No. 21-3005, Dkt. No. 131; Adv. Proc. No. 21-3006, Dkt. No. 129; and Adv. Proc. No. 21-3007, Dkt. No. 124.

3. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

End of Order

United States Bankruptcy Court
Northern District of Texas

Highland Capital Management, L.P.,
Plaintiff
HCRE Partners, LLC (n/k/a NexPoint Real,
Defendant

Adv. Proc. No. 21-03007-sgj

CERTIFICATE OF NOTICE

District/off: 0539-3

User: admin

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Date Rcvd: Feb 11, 2022

Form ID: pdf023

Total Noticed: 1

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 13, 2022:

NONE

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 11 2022 21:30:00 | 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 13, 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 11, 2022 at the address(es) listed below:

| Name | Email Address |
|----------------------------|--|
| Bryan C. Assink | on behalf of Defendant James Dondero bryan.assink@bondsellis.com |
| Deborah Rose Deitsch-Perez | on behalf of Defendant The Dugaboy Investment Trust deborah.deitschperez@stinson.com patricia.tomasky@stinson.com;kinga.mccoy@stinson.com |
| Deborah Rose Deitsch-Perez | on behalf of Defendant Nancy Dondero deborah.deitschperez@stinson.com patricia.tomasky@stinson.com;kinga.mccoy@stinson.com |
| Deborah Rose Deitsch-Perez | on behalf of Defendant James Dondero deborah.deitschperez@stinson.com |

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Total Noticed: 1

patricia.tomasky@stinson.com;kinga.mccoy@stinson.com

Deborah Rose Deitsch-Perez

on behalf of Defendant HCRE Partners LLC (n/k/a NexPoint Real Estate Partners, LLC) deborah.deitschperez@stinson.com, patricia.tomasky@stinson.com;kinga.mccoy@stinson.com

Douglas S. Draper

on behalf of Defendant The Dugaboy Investment Trust ddraper@hellerdraper.com dhepting@hellerdraper.com;vgamble@hellerdraper.com;mlandis@hellerdraper.com;gbrouphy@hellerdraper.com

Greta M. Brouphy

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Juliana Hoffman

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

Leslie A. Collins

on behalf of Defendant The Dugaboy Investment Trust lcollins@hellerdraper.com

Matthew A. Clemente

on behalf of Creditor Committee Official Committee of Unsecured Creditors mclemente@sidley.com matthew-clemente-8764@ecf.pacerpro.com;efilingnotice@sidley.com;ebromagen@sidley.com;alyssa.russell@sidley.com;dtwomey@sidley.com

Melissa S. Hayward

on behalf of Plaintiff Highland Capital Management L.P. MHayward@HaywardFirm.com, mholmes@HaywardFirm.com

Michael P. Aigen

on behalf of Defendant Nancy Dondero michael.aigen@stinson.com stephanie.gratt@stinson.com

Michael P. Aigen

on behalf of Defendant HCRE Partners LLC (n/k/a NexPoint Real Estate Partners, LLC) michael.aigen@stinson.com, stephanie.gratt@stinson.com

Michael P. Aigen

on behalf of Defendant James Dondero michael.aigen@stinson.com stephanie.gratt@stinson.com

Paige Holden Montgomery

on behalf of Creditor Committee Official 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: 16