Entered 02/13/22 23:10:13 Page 1 of 6 Docket #0164 Date Filed: 2/13/2022 Case 21-03003-sgj Doc 164 Filed 02/13/??



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

> $\mathbb{R}\mathbf{R}\mathbf{E}\mathbf{D}$ 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**

§ § § §

§

§

§ §

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§

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

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

Defendants.

Adv. Proc. No. 21-03003-sgj

Case No. 3:21-cv-01010-E



	\$ \$
Plaintiff,	§ Adv. Proc. No. 21-03004-sgj §
vs.	\$ \$
	<pre> § Case No. 3:21-cv-00881-X § § § § § § § § § § § § § § § § § § §</pre>
Defendant.	\$ \$ \$
	\$ \$
Plaintiff,	§ Adv. Proc. No. 21-03005-sgj
VS.	\$ \$
NEXPOINT ADVISORS, L.P., JAMES	\$ S Case No. 3:21-cv-00880-C
Defendants.	8 §
	\$ \$
Plaintiff,	§ Adv. Proc. No. 21-03006-sgj
VS.	\$ \$
HIGHLAND CAPITAL MANAGEMENT	<pre>§ Case No. 3:21-cv-01378-N § § § §</pre>
Defendants.	8

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

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 abovereferenced 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 "<u>Summary Judgment Motion</u>")² originally scheduled to take place on Tuesday, March 8, 2022, at 9:30 a.m. (Central Time) will now take place on <u>Wednesday, March 23, 2022</u>, 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

Plair	ntiff	Adv. Proc. No. 21-03003-sgj		
Dondero,				
Defe	endant			
	CE	RTIFICATE OF NOTICE	C	
District/off	: 0539-3	User: admin	Page 1 of 2	
Date Rcvd:	Date Rcvd: Feb 11, 2022 Form ID		Total Noticed: 1	
The following Symbol	symbols are used throughout this certificate: Definition			
+	Addresses marked '+' were corrected by in regulations require that automation-compa	serting the ZIP, adding the last four digits to comple tible mail display the correct ZIP.	ete the zip +4, or replacing an incorrect ZIP. USPS	
Notice by firs	t class mail was sent to the following persor	ns/entities by the Bankruptcy Noticing Center on	Feb 13, 2022:	
NONE				
	nsmission includes sending notices via email (ng persons/entities by the Bankruptcy Noticing C Email/text and Email/PDF), and electronic data inte	enter. rchange (EDI). Electronic transmission is in Eastern	
Recip ID ust	Notice Type: Email Address + Email/Text: ustpregion06.da.ecf@	Date/Time	Recipient Name and Address	
ust	T Eman/Text. uspregion00.ua.cer@	Feb 11 2022 21:30:00	United States Trustee, 1100 Commerce Street, Room 976, Dallas, TX 75242-0996	

TOTAL: 1

Highland Capital Management, L.P.,

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.

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/

/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
Clay M. Taylor	on behalf of Defendant James Dondero clay.taylor@bondsellis.com krista.hillman@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

United States Bankruptcy Court

Northern District of Texas

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District/off: 0539-3	User: admin	Page 2 of 2
Date Rcvd: Feb 11, 2022	Form ID: pdf023	Total Noticed: 1
Deborah Rose Deitsch-Perez	on behalf of Defendant James Dondero 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	on behalf of Defendant The Dugaboy Investment Trust gbrouphy@hellerdraper.com dhepting@hellerdraper.com;vgamble@hellerdraper.com	
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; ey@sidley.com	
Melissa S. Hayward	on behalf of Plaintiff Highland Capital Management L.P. MHayward@HaywardFirm.com, mholmes@Hay	wardFirm.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@ce@sidley.com	esidley.com;efilingnoti
Zachery Z. Annable	on behalf of Plaintiff Highland Capital Management L.P. zannable@haywardfirm.com	
moment of t		

TOTAL: 14