

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

|                                                 |  |                                |
|-------------------------------------------------|--|--------------------------------|
| <hr/>                                           |  | )                              |
| In re:                                          |  | )                              |
|                                                 |  | )                              |
| HIGHLAND CAPITAL MANAGEMENT, L.P., <sup>1</sup> |  | ) Chapter 11                   |
|                                                 |  | )                              |
| Reorganized Debtor.                             |  | ) Case No. 19-34054 (SGJ)      |
| <hr/>                                           |  | )                              |
|                                                 |  | )                              |
| HIGHLAND CAPITAL MANAGEMENT, L.P.               |  | )                              |
|                                                 |  | )                              |
| Plaintiff,                                      |  | )                              |
| vs.                                             |  | ) Adv. Pro. No. 21-03010 (SGJ) |
|                                                 |  | )                              |
| HIGHLAND CAPITAL MANAGEMENT FUND                |  | )                              |
| ADVISORS, L.P. AND NEXPOINT ADVISORS, L.P.,     |  | )                              |
|                                                 |  | )                              |
| Defendants.                                     |  | )                              |
| <hr/>                                           |  | )                              |

**CERTIFICATE OF SERVICE**

I, Hannah Bussey, depose and say that I am employed by Kurtzman Carson Consultants LLC (“KCC”), the claims and noticing agent for the Reorganized Debtor in the above-captioned case.

On April 8, 2022, at my direction and under my supervision, employees of KCC caused the following documents to be served via Electronic Mail upon the service list attached hereto as **Exhibit A**:

- **Plaintiff's Notice of Service of a Trial Subpoena to Frank Waterhouse** [Docket No. 95]
- **Joint Pretrial Order** [Docket No. 96]
- **Reorganized Debtor's Emergency Motion to Redact Certain Exhibits Attached to Reorganized Debtor's Witness and Exhibit List with Respect to Trial to be Held on April 12 - 13, 2022** [Docket No. 97]

<sup>1</sup> The Reorganized Debtor’s last four digits of its taxpayer identification number are (8357). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.



Furthermore, on April 8, 2022, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service list attached hereto as **Exhibit B**; and via First Class Mail upon the service lists attached hereto as **Exhibit C** and **Exhibit D**:

- **Plaintiff's Notice of Service of a Trial Subpoena to Frank Waterhouse** [Docket No. 95]

Furthermore, on April 8, 2022, at my direction and under my supervision, employees of KCC caused the following document to be served via Electronic Mail upon the service list attached hereto as **Exhibit E**:

- **Reorganized Debtor's Emergency Motion to Redact Certain Exhibits Attached to Reorganized Debtor's Witness and Exhibit List with Respect to Trial to be Held on April 12 - 13, 2022** [Docket No. 97]

Dated: April 12, 2022

/s/ Hannah Bussey  
Hannah Bussey  
KCC  
Meidinger Tower  
462 South 4th Street  
Louisville, KY 40202

**EXHIBIT A**

## Exhibit A

Adversary Service List  
Served via Electronic Mail

| Description                                                                                                                                                                 | CreditorName                   | CreditorNoticeName                                                          | Email                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Financial Advisor to Official Committee of Unsecured Creditors                                                                                                              | FTI Consulting                 | Earnestiena Cheng, Daniel H O'Brien                                         | Earnestiena.Cheng@fticonsulting.com; Daniel.H.O'Brien@fticonsulting.com                   |
| Counsel for the Debtor                                                                                                                                                      | Hayward & Associates PLLC      | Melissa S. Hayward, Zachery Z. Annable                                      | MHayward@HaywardFirm.com; ZAnnable@HaywardFirm.com                                        |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | A. Lee Hogewood, III                                                        | Lee.hogewood@klgates.com                                                                  |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | Artoush Varshosaz                                                           | artoush.varshosaz@klgates.com                                                             |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al                                                                                 | K&L Gates LLP                  | David R. Fine                                                               | david.fine@klgates.com                                                                    |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al                                                                                 | K&L Gates LLP                  | Emily K. Mather                                                             | emily.mather@klgates.com                                                                  |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | James A. Wright III                                                         | james.wright@klgates.com                                                                  |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | Stephen G. Topetzes                                                         | stephen.topetzes@klgates.com                                                              |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Andrew Clubok, Sarah Tomkowiak, Jason Burt                                  | andrew.clubok@lw.com; sarah.tomkowiak@lw.com; jason.burt@lw.com                           |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Asif Attarwala, Kathryn K. George                                           | asif.attarwala@lw.com; Kathryn.George@lw.com                                              |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Jeffrey E. Bjork, Kimberly A. Posin                                         | jeff.bjork@lw.com; kim.posin@lw.com                                                       |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Zachary F. Proulx, Jamie Wine                                               | Zachary.Proulx@lw.com; Jamie.Wine@lw.com                                                  |
| Counsel for Highland Capital Management Fund Advisors, L.P.                                                                                                                 | Munsch Hardt Kopf & Harr PC    | Thomas Daniel Berghman                                                      | tberghman@munsch.com                                                                      |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | Munsch Hardt Kopf & Harr, P.C. | Davor Rukavina, Esq., Julian P. Vasek, Esq.                                 | drukavina@munsch.com; jvasek@munsch.com                                                   |
| Counsel for Official Committee of Unsecured Creditors                                                                                                                       | Sidley Austin LLP              | Matthew Clemente, Alyssa Russell, Elliot A. Bromagen, Dennis M. Twomey      | mclemente@sidley.com; alyssa.russell@sidley.com; ebromagen@sidley.com; dtwomey@sidley.com |
| Counsel for Official Committee of Unsecured Creditors, Marc. S. Kirschner, as Litigation Trustee of the Highland Litigation Sub-Trust                                       | Sidley Austin LLP              | Penny P. Reid, Paige Holden Montgomery, Juliana Hoffman, Chandler M. Rognes | preid@sidley.com; pmontgomery@sidley.com; jhoffman@sidley.com; crognes@sidley.com         |

**EXHIBIT B**

**Exhibit B**Affected Parties  
Served via Electronic Mail

| <b>Description</b>           | <b>CreditorName</b>  | <b>CreditorNoticeName</b>                        | <b>Email</b>                                                                                     |
|------------------------------|----------------------|--------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Counsel for Frank Waterhouse | Baker & McKenzie LLP | Debra A. Dandeneau                               | debra.dandeneau@bakermckenzie.com                                                                |
| Counsel for Frank Waterhouse | Baker & McKenzie LLP | Michelle Hartmann                                | michelle.hartmann@bakermckenzie.com                                                              |
| Counsel for Frank Waterhouse | Ross & Smith, PC     | Judith W. Ross, Frances A. Smith, Eric Soderlund | judith.ross@judithwross.com;<br>frances.smith@judithwross.com;<br>eric.soderlund@judithwross.com |

**EXHIBIT C**

## Exhibit C

Adversary Service List  
Served via First Class Mail

| Description                                                                                                                                                                 | CreditorName                   | CreditorNoticeName                                                          | Address1                                      | Address2            | City        | State | Zip        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------|---------------------|-------------|-------|------------|
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | A. Lee Hogewood, III                                                        | 4350 Lassiter at North Hills Avenue Suite 300 |                     | Raleigh     | NC    | 27609      |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | Artoush Varshosaz                                                           | 1717 Main Street, Suite 2800                  |                     | Dallas      | TX    | 75201      |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al                                                                                 | K&L Gates LLP                  | David R. Fine                                                               | 17 North Second Street                        | 18th Floor          | Harrisburg  | PA    | 17101      |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., et al                                                                                 | K&L Gates LLP                  | Emily K. Mather                                                             | 4350 Lassiter at North Hills Avenue Suite 300 |                     | Raleigh     | NC    | 27609      |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | James A. Wright III                                                         | 1 Lincoln Street                              |                     | Boston      | MA    | 02110      |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | K&L Gates LLP                  | Stephen G. Topetzes                                                         | 1601 K Street, NW                             |                     | Washington  | DC    | 20006-1600 |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Andrew Clubok, Sarah Tomkowiak, Jason Burt                                  | 555 Eleventh Street, NW, Suite 1000           |                     | Washington  | DC    | 20004      |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Asif Attarwala, Kathryn K. George                                           | 330 North Wabash Avenue, Ste. 2800            |                     | Chicago     | IL    | 60611      |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Jeffrey E. Bjork, Kimberly A. Posin                                         | 355 S. Grand Ave., Ste. 100                   |                     | Los Angeles | CA    | 90071      |
| Counsel for UBS Securities LLC and UBS AG London Branch                                                                                                                     | Latham & Watkins LLP           | Zachary F. Proulx, Jamie Wine                                               | 1271 Avenue of the Americas                   |                     | New York    | NY    | 10020      |
| Counsel for Highland Capital Management Fund Advisors, L.P.                                                                                                                 | Munsch Hardt Kopf & Harr PC    | Thomas Daniel Berghman                                                      | 500 N Akard Street                            | Suite 3800          | Dallas      | TX    | 75201-6659 |
| Counsel for Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Income Fund, NexPoint Strategic Opportunities Fund and NexPoint Capital Inc. | Munsch Hardt Kopf & Harr, P.C. | Davor Rukavina, Esq., Julian P. Vasek, Esq.                                 | 3800 Ross Tower                               | 500 N. Akard Street | Dallas      | TX    | 75202      |
| Counsel for Official Committee of Unsecured Creditors                                                                                                                       | Sidley Austin LLP              | Matthew Clemente, Alyssa Russell, Elliot A. Bromagen, Dennis M. Twomey      | One South Dearborn Street                     |                     | Chicago     | IL    | 60603      |
| Counsel for Official Committee of Unsecured Creditors, Marc. S. Kirschner, as Litigation Trustee of the Highland Litigation Sub-Trust                                       | Sidley Austin LLP              | Penny P. Reid, Paige Holden Montgomery, Juliana Hoffman, Chandler M. Rognes | 2021 McKinney Avenue Suite 2000               |                     | Dallas      | TX    | 75201      |



**EXHIBIT D**

**Exhibit D**

Affected Parties

Served via First Class Mail

| Description                  | CreditorName         | CreditorNoticeName                                  | Address1                              | Address2   | City     | State | Zip   |
|------------------------------|----------------------|-----------------------------------------------------|---------------------------------------|------------|----------|-------|-------|
| Counsel for Frank Waterhouse | Baker & McKenzie LLP | Debra A. Dandeneau                                  | 452 Fifth Ave                         |            | New York | NY    | 10018 |
| Counsel for Frank Waterhouse | Baker & McKenzie LLP | Michelle Hartmann                                   | 1900 North Pearl                      | Suite 1500 | Dallas   | TX    | 75201 |
| Counsel for Frank Waterhouse | Ross & Smith, PC     | Judith W. Ross, Frances<br>A. Smith, Eric Soderlund | 700 North Pearl<br>Street, Suite 1610 |            | Dallas   | TX    | 75201 |

# **EXHIBIT E**

## Exhibit E

Affected Parties  
Served via Electronic Mail

| Description                                                                                                              | CreditorName                                    | CreditorNoticeName                                  | Email                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees") and CPCM, LLC | Baker & McKenzie LLP                            | Debra A. Dandeneau                                  | debra.dandeneau@bakermckenzie.com                                                                |
| Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees") and CPCM, LLC | Baker & McKenzie LLP                            | Michelle Hartmann                                   | michelle.hartmann@bakermckenzie.com                                                              |
| US Trustee for District of DE                                                                                            | Office of the United States Trustee             | Linda Casey                                         | Linda.Casey@usdoj.gov                                                                            |
| US Trustee for Northern District of TX                                                                                   | Office of the United States Trustee             | Lisa L. Lambert, Esq                                | lisa.l.lambert@usdoj.gov                                                                         |
| US Trustee for District of DE                                                                                            | Office of the United States Trustee<br>Delaware | Jane M. Leamy                                       | jane.m.leafy@usdoj.gov                                                                           |
| Counsel for Scott Ellington, Thomas Surgent, Frank Waterhouse, and Issac Leventon (the "Senior Employees") and CPCM, LLC | Ross & Smith, PC                                | Judith W. Ross, Frances<br>A. Smith, Eric Soderlund | judith.ross@judithwross.com;<br>frances.smith@judithwross.com;<br>eric.soderlund@judithwross.com |