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*Counsel for the Reorganized Debtor*

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

|  |  |
|--|--|
| In re:<br><br>HIGHLAND CAPITAL MANAGEMENT, L.P., <sup>1</sup><br><br>Reorganized Debtor. | Chapter 11<br><br>Case No. 19-34054-sgj11                  |
| HIGHLAND CAPITAL MANAGEMENT, L.P.,<br><br>Plaintiff,<br><br>v.                           | Adv. Pro. No. 21-03003-sgj<br><br>Case No. 3:21-cv-00881-X |

<sup>1</sup> The Reorganized Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.



JAMES DONDERO, NANCY DONDERO, AND  
THE DUGABOY INVESTMENT TRUST

Defendants.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

v.

HIGHLAND CAPITAL MANAGEMENT FUND  
ADVISORS, L.P.,

Defendant.

Adv. Pro. No. 21-03004-sgj

Case No. 3:21-cv-00881-X

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

v.

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

Defendants.

Adv. Pro. No. 21-03005-sgj

Case No. 3:21-cv-00881-X

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

v.

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

Defendants.

Adv. Pro. No. 21-03006-sgj

Case No. 3:21-cv-00881-X

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

v.

HCRE PARTNERS, LLC (n/k/a NexPoint Real Estate Partners, LLC), JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,

Defendants.

Adv. Pro. No. 21-03007-sgj

Case No. 3:21-cv-00881-X

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON APRIL 20, 2022 AT 9:30 A.M. (CENTRAL TIME)**

**This hearing will be held as a Webex meeting.**

**For WebEx Video Participation/Attendance:**

Link: <https://us-courts.webex.com/meet/jerniga>

**For WebEx Telephonic Only Participation/Attendance:**

Dial-In: 1-650-479-3207

Meeting ID: 479 393 582

**Need help? Go to <http://help.webex.com>**

**REMINDERS FROM THE COURT**

1. Attendees should join the Webex hearing via cell phone, tablet, laptop, desktop, or landline telephone at least 10 minutes prior to the hearing time.
2. Attorneys who anticipate giving extensive legal argument and examining witnesses are strongly encouraged to use the video function (with actual witnesses required).
3. Caller participants who wish to speak during the hearing should key in the Attendee ID or Identity Code when prompted to do so. (The Attendee ID is available on the screen after the caller joins the web portion of the meeting.) Alternatively, the caller can key his/her phone number in to the screen to receive a call back from the Webex server. This will allow the Court to see the names of caller participants and this will greatly speed up the appearance phase at the beginning of the hearing because the Judge can just quickly call roll at the start of the hearing instead of having lawyers possibly talk over each other in trying to appear.

4. **PLEASE USE THE MUTE FUNCTION WHEN YOU ARE NOT SPEAKING.**
5. Remember to state your name for the record each time before speaking.
6. Use headphones whenever possible, especially if using a desktop PC with external speakers.
7. During examination, attorneys and witnesses should use a separate camera and microphone.
8. Attendees may use the “share” button to easily share their screen or document with the group.

### **CONTESTED MATTERS**

#### **Highland Cap. Mgmt., L.P. v. James Dondero, et al., Adv. Proc. No. 21-03003-sgj**

1. **Plaintiff’s Motion for Partial Summary Judgment** – Highland Capital Management, L.P.’s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 132).

Response Deadline: January 17, 2022. Extended to January 20, 2022.

Responses Received:

- a) Defendants’ Opposition to Plaintiff’s Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 153).
  - i) Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants’ Response to Plaintiff’s Motion for Partial Summary Judgment [Filed: 1/19/22] (Docket No. 150).
  - ii) Unopposed Request for Emergency Hearing [Filed: 1/19/22] (Docket No. 151).
  - iii) Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants’ Response to Plaintiff’s Motion for Partial Summary Judgment and Proposed Order [Filed: 1/20/22] (Docket No. 152).
  - iv) [Signed] Order Granting Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants’ Response to Plaintiff’s Motion for Partial Summary Judgment [Filed: 1/24/22] (Docket No. 157).
- b) Defendants’ Memorandum of Law in Response to Plaintiff’s Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 154).
- c) Appendix in Support of Defendants’ Opposition to Plaintiff’s Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 155).

Replies Filed:

- a) Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 159).
- b) Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 160).

Related Documents:

- a) Declaration of David Klos in Support of Highland Capital Management L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 133).
- b) Highland Capital Management, L.P.'s Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/17/21] (Docket No. 134).
- c) Appendix in Support of Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/18/21] (Docket No. 135).
- d) Highland Capital Management, L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 137).
- e) Notice of Filing of Highland Capital Management L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 138).
- f) Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/22/21] (Docket No. 139).
- g) Stipulation to Extend Time of Summary Judgment Briefing [Filed: 1/12/22] (Docket No. 147).
- h) Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/9/22] (Docket No. 161).
- i) [Signed] Order Granting Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/11/22] (Docket No. 163).
- j) Amended Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/15/22] (Docket No. 166).
- k) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 176).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. James Dondero, et al., Adv. Proc. No. 21-03003-sgj**

2. **Defendants' Motion to Strike** – Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/25/22] (Docket No. 169).

Response Deadline: March 18, 2022.

Responses Received:

- a) Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 173).
- b) Plaintiff's Brief in Opposition to Motion to Strike Appendix in Support of Reply Memorandum of Law in Further Support of Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 174).
- c) Appendix in Support of Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 175).

Replies Filed:

- a) Reply in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 4/1/22] (Docket No. 179).
- b) Appendix in Support of Defendants' Reply in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 4/1/22] (Docket No. 180).

Related Documents:

- a) Appendix in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law [Filed: 2/25/22] (Docket No. 170).
- b) Notice of Hearing [Filed: 2/28/22] (Docket No. 172).
- c) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 176).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. Highland Cap. Mgmt. Fund Advisors, L.P., Adv. Proc. No. 21-03004-sgj**

3. **Plaintiff's Motion for Partial Summary Judgment** – Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 91).

Response Deadline: January 17, 2022. Extended to January 20, 2022.

Responses Received:

- a) Defendant's Response in Opposition to Plaintiff's Motion for Summary Judgment [Filed: 1/19/22] (Docket No. 126).
- b) Defendant's Brief in Opposition to Plaintiff's Motion for Summary Judgment [Filed: 1/19/22] (Docket No. 127).
- c) Defendant's Appendix in Opposition to Plaintiff's Motion for Summary Judgment [Filed: 1/19/22] (Docket No. 128).

Replies Filed:

- a) Highland Capital Management, L.P.'s Reply in Support of Motion for Partial Summary Judgment [Filed: 2/7/22] (Docket No. 132).

Related Documents:

- a) Declaration of David Klos in Support of Highland Capital Management L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 92).
- b) Highland Capital Management, L.P.'s Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/17/21] (Docket No. 93).
- c) Appendix in Support of Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/18/21] (Docket No. 94).
- d) Highland Capital Management, L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 95).
- e) Notice of Filing of Highland Capital Management L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 96).
- f) Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/22/21] (Docket No. 98).
- g) Stipulation to Extend Time of Summary Judgment Briefing [Filed: 1/12/22] (Docket No. 120).

- h) Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/9/22] (Docket No. 133).
- i) [Signed] Order Granting Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/11/22] (Docket No. 136).
- j) Amended Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/15/22] (Docket No. 139).
- k) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 150).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. Highland Cap. Mgmt. Fund Advisors, L.P., Adv. Proc. No. 21-03004-sgj**

4. **Plaintiff's Motion to Strike** – Plaintiff's Omnibus Motion to (A) Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/21] (Docket No. 129).

Response Deadline: February 28, 2022.

Responses Received:

- a) Defendant's Objection to Plaintiff's Motion to Strike, for Sanctions, and for Contempt [Filed: 2/28/22] (Docket No. 145).

Replies Filed:

- a) Plaintiff's Reply in Further Support of Its Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 147).
  - (i) Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/14/22] (Docket No. 146).
  - (ii) [Signed] Order Granting Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/28/22] (Docket No. 152).
- b) Supplemental Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 148).

Related Documents:

- a) Brief in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 130).



- b) Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 131).
- c) Notice of Hearing on Plaintiff's Omnibus Motions (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/11/22] (Docket No. 135).
- d) Errata to Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/18/22] (Docket No. 141).
- e) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 150).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. NexPoint Advisors, L.P., et al., Adv. Proc. No. 21-03005-sgj**

5. **Plaintiff's Motion for Partial Summary Judgment** – Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 131).

Response Deadline: January 17, 2022. Extended to January 20, 2022.

Responses Received:

- a) Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 155).
  - i) Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/19/22] (Docket No. 152).
  - ii) Unopposed Request for Emergency Hearing [Filed: 1/19/22] (Docket No. 153).
  - iii) Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment and Proposed Order [Filed: 1/20/22] (Docket No. 154).
  - iv) [Signed] Order Granting Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/24/22] (Docket No. 159).
- b) Defendants' Memorandum of Law in Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 156).

- c) Appendix in Support of Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 157).

Replies Filed:

- a) Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 164).
- b) Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 165).

Related Documents:

- a) Declaration of David Klos in Support of Highland Capital Management L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 132).
- b) Highland Capital Management, L.P.'s Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/17/21] (Docket No. 133).
- c) Appendix in Support of Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/18/21] (Docket No. 134).
- d) Highland Capital Management, L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 136).
- e) Notice of Filing of Highland Capital Management L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 137).
- f) Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/22/21] (Docket No. 139).
- g) Stipulation to Extend Time of Summary Judgment Briefing [Filed: 1/12/22] (Docket No. 149).
- h) Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/9/22] (Docket No. 166).
- i) [Signed] Order Granting Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/11/22] (Docket No. 169).
- j) Amended Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/15/22] (Docket No. 172).

k) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 189).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. NexPoint Advisors, L.P., et al., Adv. Proc. No. 21-03005-sgj**

6. **Plaintiff's Motion to Strike** – Plaintiff's Omnibus Motion to (A) Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/21] (Docket No. 161).

Response Deadline: February 28, 2022.

Responses Received:

- a) Defendant's Response in Opposition to Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/28/22] (Docket No. 180).
- b) Appendix in Support of Defendant's Response in Opposition to Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/28/22] (Docket No. 181).

Replies Filed:

- a) Plaintiff's Reply in Further Support of Its Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 183).
  - (i) Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/14/22] (Docket No. 182).
  - (ii) [Signed] Order Granting Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/28/22] (Docket No. 192).
- b) Supplemental Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 184).

Related Documents:

- a) Brief in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 162).
- b) Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 163).

- c) Notice of Hearing on Plaintiff's Omnibus Motions (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/11/22] (Docket No. 168).
- d) Errata to Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/18/22] (Docket No. 174).
- e) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 189).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. NexPoint Advisors, L.P., et al., Adv. Proc. No. 21-03005-sgj**

7. **Defendants' Motion to Strike** – Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/25/22] (Docket No. 177).

Response Deadline: March 18, 2022.

Responses Received:

- a) Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 186).
- b) Plaintiff's Brief in Opposition to Motion to Strike Appendix in Support of Reply Memorandum of Law in Further Support of Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 187).
- c) Appendix in Support of Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 188).

Replies Filed:

- a) Reply in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 4/2/22] (Docket No. 194).

Related Documents:

- a) Notice of Hearing [Filed: 2/28/22] (Docket No. 179).
- b) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 189).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. Highland Cap. Mgmt. Servs., Inc., et al., Adv. Proc. No. 21-03006-sgj**

- 8. **Defendants' Motion to Strike** – Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/25/22] (Docket No. 178).

Response Deadline: March 18, 2022.

Responses Received:

- a) Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 188).
- b) Plaintiff's Brief in Opposition to Motion to Strike Appendix in Support of Reply Memorandum of Law in Further Support of Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 189).
- c) Appendix in Support of Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 190).

Replies Filed:

- a) Reply in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 4/1/22] (Docket No. 199).
- b) Appendix in Support of Defendants' Reply in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 4/1/22] (Docket No. 200).

Related Documents:

- a) Appendix in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law [Filed: 2/25/22] (Docket No. 179).
- b) Notice of Hearing [Filed: 2/28/22] (Docket No. 181).
- c) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 193).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. Highland Cap. Mgmt. Servs., Inc., et al., Adv. Proc. No. 21-03006-sgj**

9. **Plaintiff's Motion for Partial Summary Judgment** – Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 129).

Response Deadline: January 17, 2022. Extended to January 20, 2022.

Responses Received:

- a) Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 156).
  - i) Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/19/22] (Docket No. 153).
  - ii) Unopposed Request for Emergency Hearing [Filed: 1/19/22] (Docket No. 154).
  - iii) Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment and Proposed Order [Filed: 1/20/22] (Docket No. 155).
  - iv) [Signed] Order Granting Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/24/22] (Docket No. 160).
- b) Defendants' Memorandum of Law in Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 157).
- c) Appendix in Support of Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 158).

Replies Filed:

- a) Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 165).
- b) Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 166).

Related Documents:

- a) Declaration of David Klos in Support of Highland Capital Management L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 130).
- b) Highland Capital Management, L.P.'s Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/17/21] (Docket No. 131).
- c) Appendix in Support of Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/18/21] (Docket No. 132).
- d) Highland Capital Management, L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 133).
- e) Notice of Filing of Highland Capital Management L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 134).
- f) Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/22/21] (Docket No. 140).
- g) Stipulation to Extend Time of Summary Judgment Briefing [Filed: 1/12/22] (Docket No. 150).
- h) Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/9/22] (Docket No. 167).
- i) [Signed] Order Granting Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/11/22] (Docket No. 170).
- j) Amended Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/15/22] (Docket No. 173).
- k) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 193).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. Highland Cap. Mgmt. Servs., Inc., et al., Adv. Proc. No. 21-03006-sgj**

10. **Plaintiff's Motion to Strike** – Plaintiff's Omnibus Motion to (A) Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/21] (Docket No. 162).

Response Deadline: February 28, 2022.

Responses Received:

- a) Defendant's Response in Opposition to Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/28/22] (Docket No. 182).
- b) Appendix in Support of Defendant's Response in Opposition to Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/28/22] (Docket No. 183).

Replies Filed:

- a) Plaintiff's Reply in Further Support of Its Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 185).
  - (i) Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/14/22] (Docket No. 184)
  - (ii) [Signed] Order Granting Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/28/22] (Docket No. 197).
- b) Supplemental Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 186).

Related Documents:

- a) Brief in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 163).
- b) Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 164).



- c) Notice of Hearing on Plaintiff's Omnibus Motions (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/11/22] (Docket No. 169).
- d) Errata to Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/18/22] (Docket No. 175).
- e) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 193).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. HCRE Partners, LLC (n/k/a NexPoint Real Estate Partners, LLC), et al., Adv. Proc. No. 21-03007-sgj**

11. **Defendants' Motion to Strike** – Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/25/22] (Docket No. 173).

Response Deadline: March 18, 2022.

Responses Received:

- a) Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 183).
- b) Plaintiff's Brief in Opposition to Motion to Strike Appendix in Support of Reply Memorandum of Law in Further Support of Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 184).
- c) Appendix in Support of Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 3/18/22] (Docket No. 185).

Replies Filed:

- a) Reply in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 4/1/22] (Docket No. 194).
- b) Appendix in Support of Defendants' Reply in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further

Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 4/1/22] (Docket No. 195).

Related Documents:

- a) Appendix in Support of Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law [Filed: 2/25/22] (Docket No. 174).
- b) Notice of Hearing [Filed: 2/28/22] (Docket No. 176).
- c) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 188).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. HCRE Partners, LLC (n/k/a NexPoint Real Estate Partners, LLC), et al., Adv. Proc. No. 21-03007-sgj**

12. **Plaintiff's Motion for Partial Summary Judgment** – Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 124).

Response Deadline: January 17, 2022. Extended to January 20, 2022.

Responses Received:

- a) Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 151).
  - i) Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/19/22] (Docket No. 148).
  - ii) Unopposed Request for Emergency Hearing [Filed: 1/19/22] (Docket No. 149).
  - iii) Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment and Proposed Order [Filed: 1/20/22] (Docket No. 150).
  - iv) [Signed] Order Granting Amended Agreed Emergency Motion for Leave to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/24/22] (Docket No. 155).
- b) Defendants' Memorandum of Law in Response to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 152).
- c) Appendix in Support of Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment [Filed: 1/20/22] (Docket No. 153).

Replies Filed:

- a) Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 160).
- b) Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants [Filed: 2/7/22] (Docket No. 161).

Related Documents:

- a) Declaration of David Klos in Support of Highland Capital Management L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/17/21] (Docket No. 125).
- b) Highland Capital Management, L.P.'s Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/17/21] (Docket No. 126).
- c) Appendix in Support of Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/18/21] (Docket No. 127).
- d) Highland Capital Management, L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 128).
- e) Notice of Filing of Highland Capital Management L.P.'s Amended Memorandum of Law in Support of Motion for Partial Summary Judgment [Filed: 12/20/21] (Docket No. 129).
- f) Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 12/22/21] (Docket No. 131).
- g) Stipulation to Extend Time of Summary Judgment Briefing [Filed: 1/12/22] (Docket No. 145).
- h) Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/9/22] (Docket No. 162).
- i) [Signed] Order Granting Motion to Continue Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/11/22] (Docket No. 165).
- j) Amended Notice of Hearing on Highland Capital Management, L.P.'s Motion for Partial Summary Judgment in Notes Actions [Filed: 2/15/22] (Docket No. 168).
- k) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 188).

Status: This matter will go forward.

**Highland Cap. Mgmt., L.P. v. HCRE Partners, LLC (n/k/a NexPoint Real Estate Partners, LLC), et al., Adv. Proc. No. 21-03007-sgj**

13. **Plaintiff's Motion to Strike** – Plaintiff's Omnibus Motion to (A) Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/21] (Docket No. 157).

Response Deadline: February 28, 2022.

Responses Received:

- a) Defendant's Response in Opposition to Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/28/22] (Docket No. 177).
- b) Appendix in Support of Defendant's Response in Opposition to Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/28/22] (Docket No. 178).

Replies Filed:

- a) Plaintiff's Reply in Further Support of Its Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 180).
  - (i) Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/14/22] (Docket No. 179).
  - (ii) [Signed] Order Granting Plaintiff's Unopposed Motion for Leave to Exceed Page Limit [Filed: 3/28/22] (Docket No. 192).
- b) Supplemental Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 3/14/22] (Docket No. 181).

Related Documents:

- a) Brief in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 158).
- b) Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/7/22] (Docket No. 159).

- c) Notice of Hearing on Plaintiff's Omnibus Motions (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/11/22] (Docket No. 164).
- d) Errata to Declaration of John A. Morris in Support of Plaintiff's Omnibus Motion (A) to Strike Certain Documents and Arguments from the Record, (B) for Sanctions, and (C) for an Order of Contempt [Filed: 2/18/22] (Docket No. 170).
- e) Amended Notice of Hearing [Filed: 3/21/22] (Docket No. 188).

Status: This matter will go forward.

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Dated: April 19, 2022.

**PACHULSKI STANG ZIEHL & JONES LLP**

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*/s/ Zachery Z. Annable*

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