

Case No. 22-10575

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

---

In the Matter of Highland Capital Management, L.P.,  
*Debtor.*

---

NexPoint Advisors, L.P., Appellant/Creditor/Party in Interest 11 U.S.C. § 1109(b),  
*Appellant,*

v.

Pachulski Stang Ziehl & Jones, L.L.P., Appellee/Retained Professional; Wilmer  
Cutler Pickering Hale and Dorr, L.L.P.; FTI Consulting, Incorporated; Teneo  
Capital, L.L.C.; Sidley Austin, L.L.P.,  
*Appellees.*

---

NexPoint Advisors, L.P.,  
*Appellant,*

v.

Wilmer Cutler Pickering Hale and Dorr, L.L.P.,  
*Appellee.*

---

NexPoint Advisors, L.P.,  
*Appellant,*

v.

Teneo Capital, L.L.C.,  
*Appellee.*

---

NexPoint Advisors, L.P.,  
*Appellant,*

v.

Sidley Austin, L.L.P.,  
*Appellee.*

---



NexPoint Advisors, L.P.,  
*Appellant,*

v.

FTI Consulting, Incorporated,  
*Appellee.*

---

Appeal from the United States District Court  
for the Northern District of Texas, Dallas Division  
Before the Honorable James E. Kinkeade  
[Case No. 3:21-cv-03086-K, *consolidated with* Case Nos. 3:21-cv-03088-K,  
3:21-cv-03094-K, 3:21-cv-03096-K, and 3:21-cv-03104-K]

---

**APPELLANT NEXPOINT ADVISORS, L.P.'S  
CREDITOR DISCLOSURE STATEMENT**

---

Samuel A. Schwartz, Esq.  
Nevada Bar No. 10985  
saschwartz@nvfirm.com  
Athanasios E. Agelakopoulos, Esq.  
Nevada Bar No. 14339  
aagelakopoulos@nvfirm.com  
SCHWARTZ LAW, PLLC  
601 East Bridger Avenue  
Las Vegas, Nevada 89101-5805  
Telephone: (702) 385-5544  
Facsimile: (702) 442-9887

Kristin H. Jain, Esq.  
Texas Bar No. 24010128  
khjain@jainlaw.com  
JAIN LAW & ASSOCIATES PLLC  
400 North Saint Paul Street, Suite 510  
Dallas, Texas 75201-6829  
Telephone: (214) 446-0330  
Facsimile: (214) 446-0321

*Counsel for NexPoint Advisors, L.P*

Appellant NexPoint Advisors, L.P. (the “**Appellant**” or “**NexPoint**”), pursuant to the Circuit Clerk’s Letter dated June 10, 2022, hereby files the following *Creditor Disclosure Statement* to comply with the Court’s disclosure requirements:

**(1) Identity of the Reorganized Debtor**

In the underlying Chapter 11 bankruptcy case (Case No. 19-34054-sgj11, United States Bankruptcy Court for the Northern District of Texas, Dallas Division, the Honorable Stacey G. C. Jernigan presiding), the Reorganized Debtor is Highland Capital Management, L.P.

**(2) Identities of the Members of the Creditor’s Committee**

The Official Committee of Unsecured Creditors in the underlying Chapter 11 bankruptcy case dissolved as of August 11, 2021, the effective date of the confirmed plan of reorganization. The members of the Official Committee of Unsecured Creditors were:

- (a) Redeemer Committee of Highland Crusader Fund — Attn: Eric Felton; 731 Pleasant Avenue; Glen Ellyn, Illinois 60137; Telephone: (312) 953-0664; E-Mail: ericfelton@me.com;
- (b) Meta-e Discovery — Attn: Paul McVoy; 93 River Street; Milford, Connecticut 06460; Telephone: (203) 544-8323; E-Mail: pmcvoy@metaediscovery.com;
- (c) UBS Securities LLC and UBS AG London Branch — Attn:

Elizabeth Kozlowski; 1285 Avenue of the Americas; New York, New York 10019; Telephone: (212) 713-2000; and

- (d) Acis Capital Management, L.P. and Acis Capital Management GP, LLP — Attn: Joshua Terry; 3100 Webb Avenue, Suite 203; Dallas, Texas 75025; Telephone: (214) 556-3405; E-Mail: josh@shorewoodmgmt.com.

**(3) Identity of Any Entity That Is an Active Participant in the Proceeding Before the Fifth Circuit**

The active participants in this proceeding before the Fifth Circuit are:

- (a) Appellant:
- NexPoint Advisors, L.P.
- (b) Appellees:
- (i) Pachulski Stang Ziehl & Jones, L.L.P.;
- (ii) Wilmer Cutler Pickering Hale and Dorr, L.L.P.;
- (iii) FTI Consulting, Incorporated;
- (iv) Teneo Capital, L.L.C.; and
- (v) Sidley Austin, L.L.P.

///

///

///

**(4) Identity of Any Other Entity Known to the Declarant Whose Stock or Equity Value Could Be Substantially Affected by the Outcome of the Proceeding**

NexPoint is not aware of any other entities whose stock or equity value could be substantially affected by the outcome of the proceeding. That said, as previously disclosed in the underlying District Court appellate cases in accordance with Rule 8012 of the Federal Rules of Bankruptcy Procedure and Rule 8012.1 of the Local Bankruptcy Rules for the Northern District of Texas:

- (a) NexPoint Advisors GP, LLC is a nongovernmental corporate entity which serves as General Partner for NexPoint, and no publicly held corporation owns ten percent (10%) or more of the equity interests in either NexPoint or NexPoint Advisors GP, LLC;
- (b) Strand Advisors, Inc. is a nongovernmental corporate entity which serves as General Partner for Highland Capital Management, L.P., and no publicly held corporation owns ten percent (10%) or more of the equity interests in either Highland Capital Management, L.P. or Strand Advisors, Inc.; and
- (c) NexPoint, Pachulski Stang Ziehl & Jones L.L.P., Highland Capital Management, L.P., and all creditors of Highland Capital

Management, L.P. may be financially interested in the outcome of the underlying District Court appellate cases.

**(5) Identities of Counsel to the Parties/Entities Identified in (1)-(4)**

The following persons and law firms represent the parties and entities identified herein:

(a) Appellant NexPoint Advisors, L.P.

Samuel A. Schwartz, Esq. (Nevada Bar No. 10985)  
Athanasios E. Agelakopoulos, Esq. (Nevada Bar No. 14339)  
SCHWARTZ LAW, PLLC  
601 East Bridger Avenue  
Las Vegas, Nevada 89101-5805  
Telephone: (702) 385-5544  
Facsimile: (702) 442-9887  
E-Mail: saschwartz@nvfirm.com  
aagelakopoulos@nvfirm.com

- and -

Kristin H. Jain, Esq. (Texas Bar No. 24010128)  
JAIN LAW & ASSOCIATES PLLC  
400 North Saint Paul Street, Suite 510  
Dallas, Texas 75201-6829  
Telephone: (214) 446-0330  
Facsimile: (214) 446-0321  
E-Mail: khjain@jainlaw.com

(b) Appellee Pachulski Stang Ziehl & Jones, L.L.P.

Jeffrey N. Pomerantz, Esq. (California Bar No. 143717)  
PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Boulevard, 13th Floor  
Los Angeles, California 90067-4003  
Telephone: (310) 277-6910  
Facsimile: (310) 201-0760

E-Mail: [jpomerantz@pszjlaw.com](mailto:jpomerantz@pszjlaw.com)

- and -

John A. Morris, Esq. (New York Bar No. 2405397)  
Jordan A. Kroop, Esq. (New York Bar No. 2680882)  
Gregory V. Demo, Esq. (New York Bar No. 5371992)  
PACHULSKI STANG ZIEHL & JONES LLP  
780 Third Avenue, 34th Floor  
New York, New York 10017-2024  
Telephone: (212) 561-7700  
Facsimile: (212) 561-7777  
E-Mail: [jmorris@pszjlaw.com](mailto:jmorris@pszjlaw.com)  
[jkroop@pszjlaw.com](mailto:jkroop@pszjlaw.com)  
[gdemo@pszjlaw.com](mailto:gdemo@pszjlaw.com)

- and -

Melissa S. Hayward, Esq. (Texas Bar No. 24044908)  
Zachery Z. Annable, Esq. (Texas Bar No. 24053075)  
HAYWARD PLLC  
10501 North Central Expressway, Suite 106  
Dallas, Texas 75231-2203  
Telephone: (972) 755-7100  
Facsimile: (972) 755-7110  
E-Mail: [mhayward@haywardfirm.com](mailto:mhayward@haywardfirm.com)  
[zannable@haywardfirm.com](mailto:zannable@haywardfirm.com)

(c) Appellee Wilmer Cutler Pickering Hale and Dorr, L.L.P.

Timothy F. Silva, Esq. (Massachusetts Bar No. 637407)  
Benjamin W. Loveland, Esq. (Massachusetts Bar No. 669445)  
WILMER CUTLER PICKERING HALE AND DORR LLP  
60 State Street  
Boston, Massachusetts 02109-1800  
Telephone: (617) 526-6000  
Facsimile: (617) 526-5000  
E-Mail: [timothy.silva@wilmerhale.com](mailto:timothy.silva@wilmerhale.com)  
[benjamin.loveland@wilmerhale.com](mailto:benjamin.loveland@wilmerhale.com)

- and -

Melissa S. Hayward, Esq. (Texas Bar No. 24044908)  
Zachery Z. Annable, Esq. (Texas Bar No. 24053075)  
HAYWARD PLLC  
10501 North Central Expressway, Suite 106  
Dallas, Texas 75231-2203  
Telephone: (972) 755-7100  
Facsimile: (972) 755-7110  
E-Mail: mhayward@haywardfirm.com  
zannable@haywardfirm.com

(d) Appellee FTI Consulting, Incorporated

Matthew A. Clemente, Esq. (Illinois Bar No. 6255757)  
SIDLEY AUSTIN LLP  
One South Dearborn Street  
Chicago, Illinois 60603-2302  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036  
E-Mail: mclemente@sidley.com

- and -

Penny P. Reid, Esq. (Texas Bar No. 15402570)  
Paige Holden Montgomery, Esq. (Texas Bar No. 24037131)  
Juliana L. Hoffman, Esq. (Texas Bar No. 24106103)  
SIDLEY AUSTIN LLP  
2021 McKinney Avenue, Suite 2000  
Dallas, Texas 75201-3351  
Telephone: (214) 981-3300  
Facsimile: (214) 981-3400  
E-Mail: preid@sidley.com  
pmontgomery@sidley.com  
jhoffman@sidley.com

(e) Appellee Teneo Capital, L.L.C.

Matthew A. Clemente, Esq. (Illinois Bar No. 6255757)  
SIDLEY AUSTIN LLP

One South Dearborn Street  
Chicago, Illinois 60603-2302  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036  
E-Mail: mclemente@sidley.com

- and -

Penny P. Reid, Esq. (Texas Bar No. 15402570)  
Paige Holden Montgomery, Esq. (Texas Bar No. 24037131)  
Juliana L. Hoffman, Esq. (Texas Bar No. 24106103)  
SIDLEY AUSTIN LLP  
2021 McKinney Avenue, Suite 2000  
Dallas, Texas 75201-3351  
Telephone: (214) 981-3300  
Facsimile: (214) 981-3400  
E-Mail: preid@sidley.com  
pmontgomery@sidley.com  
jhoffman@sidley.com

(f) Appellee Sidley Austin, L.L.P.

Matthew A. Clemente, Esq. (Illinois Bar No. 6255757)  
SIDLEY AUSTIN LLP  
One South Dearborn Street  
Chicago, Illinois 60603-2302  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036  
E-Mail: mclemente@sidley.com

- and -

Penny P. Reid, Esq. (Texas Bar No. 15402570)  
Paige Holden Montgomery, Esq. (Texas Bar No. 24037131)  
Juliana L. Hoffman, Esq. (Texas Bar No. 24106103)  
SIDLEY AUSTIN LLP  
2021 McKinney Avenue, Suite 2000  
Dallas, Texas 75201-3351  
Telephone: (214) 981-3300  
Facsimile: (214) 981-3400

E-Mail: preid@sidley.com  
pmontgomery@sidley.com  
jhoffman@sidley.com

(g) Reorganized Debtor Highland Capital Management, L.P.

Richard M. Pachulski, Esq. (California Bar No. 90073)  
Ira D. Kharasch, Esq. (California Bar No. 109084)  
Jeffrey N. Pomerantz, Esq. (California Bar No. 143717)  
PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Boulevard, 13th Floor  
Los Angeles, California 90067-4003  
Telephone: (310) 277-6910  
Facsimile: (310) 201-0760  
E-Mail: rpachulski@pszjlaw.com  
ikharasch@pszjlaw.com  
jpomerantz@pszjlaw.com

- and -

John A. Morris, Esq. (New York Bar No. 2405397)  
Jordan A. Kroop, Esq. (New York Bar No. 2680882)  
Gregory V. Demo, Esq. (New York Bar No. 5371992)  
PACHULSKI STANG ZIEHL & JONES LLP  
780 Third Avenue, 34th Floor  
New York, New York 10017-2024  
Telephone: (212) 561-7700  
Facsimile: (212) 561-7777  
E-Mail: jmorris@pszjlaw.com  
jkroop@pszjlaw.com  
gdemo@pszjlaw.com

- and -

Maxim B. Litvak, Esq. (California Bar No. 215852)  
PACHULSKI STANG ZIEHL & JONES LLP  
One Market Plaza, Spear Tower, 40th Floor  
San Francisco, California 94105-1020  
Telephone: (415) 263-7000  
Facsimile: (415) 263-7010

E-Mail: [mlitvak@pszjlaw.com](mailto:mlitvak@pszjlaw.com)

- and -

James E. O'Neill, Esq. (Delaware Bar No. 4042)  
PACHULSKI STANG ZIEHL & JONES LLP  
919 North Market Street, 17th Floor  
Wilmington, Delaware 19801-3023  
Telephone: (302) 652-4100  
Facsimile: (302) 652-4400  
E-Mail: [joneill@pszjlaw.com](mailto:joneill@pszjlaw.com)

- and -

Melissa S. Hayward, Esq. (Texas Bar No. 24044908)  
Zachery Z. Annable, Esq. (Texas Bar No. 24053075)  
HAYWARD PLLC  
10501 North Central Expressway, Suite 106  
Dallas, Texas 75231-2203  
Telephone: (972) 755-7100  
Facsimile: (972) 755-7110  
E-Mail: [mhayward@haywardfirm.com](mailto:mhayward@haywardfirm.com)  
[zannable@haywardfirm.com](mailto:zannable@haywardfirm.com)

(h) Official Committee of Unsecured Creditors

Matthew A. Clemente, Esq. (Illinois Bar No. 6255757)  
Dennis M. Twomey, Esq. (Illinois Bar No. 6273190)  
Alyssa Russell, Esq. (Illinois Bar No. 6320247)  
Allison Ross Stromberg, Esq. (Illinois Bar No. [Unknown])  
SIDLEY AUSTIN LLP  
One South Dearborn Street  
Chicago, Illinois 60603-2302  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036  
E-Mail: [mclemente@sidley.com](mailto:mclemente@sidley.com)  
[dtwomey@sidley.com](mailto:dtwomey@sidley.com)  
[alyssa.russell@sidley.com](mailto:alyssa.russell@sidley.com)  
[astromberg@sidley.com](mailto:astromberg@sidley.com)

- and -

Penny P. Reid, Esq. (Texas Bar No. 15402570)  
Paige Holden Montgomery, Esq. (Texas Bar No. 24037131)  
Juliana L. Hoffman, Esq. (Texas Bar No. 24106103)  
Charles M. Persons, Esq. (Texas Bar No. 24060413)  
SIDLEY AUSTIN LLP  
2021 McKinney Avenue, Suite 2000  
Dallas, Texas 75201-3351  
Telephone: (214) 981-3300  
Facsimile: (214) 981-3400  
E-Mail: preid@sidley.com  
pmontgomery@sidley.com  
jhoffman@sidley.com  
cpersons@sidley.com

(i) NexPoint Advisors GP, LLC

Davor Rukavina, Esq. (Texas Bar No. 24030781)  
Julian P. Vasek, Esq. (Texas Bar No. 24070790)  
MUNSCH HARDT KOPF & HARR, P.C.  
500 North Akard Street, Suite 3800  
Dallas, Texas 75202-2790  
Telephone: (214) 855-7500  
Facsimile: (214) 855-7584  
E-Mail: drukavina@munsch.com  
jvasek@munsch.com

(j) Strand Advisors, Inc.

Amy L. Ruhland (Rudd) (Texas Bar No. 24043561)  
DLA PIPER LLP (US)  
303 Colorado Street, Suite 3000  
Austin, Texas 78701-4654  
Telephone: (512) 457-7000  
Facsimile: (512) 457-7001  
E-Mail: amy.ruhland@us.dlapiper.com

- and -

Jason M. Hopkins (Texas Bar No. 24059969)  
DLA PIPER LLP (US)  
1900 North Pearl Street, Suite 2200  
Dallas, Texas 75201-2482  
Telephone: (214) 743-4500  
Facsimile: (214) 743-4545  
E-Mail: jason.hopkins@us.dlapiper.com

- and -

Clay M. Taylor (Texas Bar No. 24033261)  
BONDS ELLIS EPPICH SCHAFFER JONES LLP  
420 Throckmorton Street, Suite 1000  
Fort Worth, Texas 76102-3727  
Telephone: (817) 405-6900  
Facsimile: (817) 405-6902  
E-Mail: clay.taylor@bondsellis.com

*[Signature Page to Follow]*

Dated: June 24, 2022.

By: /s/ Samuel A. Schwartz  
Samuel A. Schwartz, Esq.  
Nevada Bar No. 10985  
saschwartz@nvfirm.com  
Athanasios E. Agelakopoulos, Esq.  
Nevada Bar No. 14339  
aagelakopoulos@nvfirm.com  
SCHWARTZ LAW, PLLC  
601 East Bridger Avenue  
Las Vegas, Nevada 89101  
Telephone: (702) 385-5544  
Facsimile: (702) 442-9887

- and -

/s/ Kristin H. Jain  
Kristin H. Jain, Esq.  
Texas Bar No. 24010128  
khjain@jainlaw.com  
JAIN LAW & ASSOCIATES PLLC  
400 North Saint Paul Street, Suite 510  
Dallas, Texas 75201-6829  
Telephone: (214) 446-0330  
Facsimile: (214) 446-0321

*Counsel for NexPoint Advisors, L.P.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 24, 2022, a true and correct copy of the foregoing *Creditor Disclosure Statement* was served electronically via the Court's ECF system upon all parties of interest requesting or consenting to such service in this case.

/s/ Samuel A. Schwartz  
Samuel A. Schwartz, Esq.  
Nevada Bar No. 10985  
saschwartz@nvfirm.com  
Athanasios E. Agelakopoulos, Esq.  
Nevada Bar No. 14339  
aagelakopoulos@nvfirm.com  
SCHWARTZ LAW, PLLC  
601 East Bridger Avenue  
Las Vegas, Nevada 89101  
Telephone: (702) 385-5544  
Facsimile: (702) 442-9887

*Counsel for NexPoint Advisors, L.P.*