

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**

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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.

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(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:

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Dated: June 24, 2022.

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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.

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