

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT FUND
ADVISORS, L.P.,

Defendant.

Adv. Proc. No. 21-03004-sgj

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

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

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

Defendants.

Adv. Proc. No. 21-03005-sgj

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

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

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

Defendants.

Adv. Proc. No. 21-03006-sgj

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

TABLE OF CONTENTS

	<u>Page</u>
Objection #1: Mathematical Error	1
Objection #2: Excessive Redaction	3
Objection #3: Fees Should Be Limited to Breach of Contract and Turnover Claims	3
Objection #4: Exclude “Unsegregated” Fees.....	6
Objection #5: Plaintiff Should Not Get Fees for “Unsuccessful Litigation”.....	8
Objection #6: PSZJ’s Rates Are Too High.....	11
Objection #7: The Distribution of Fees and Costs Among Defendants is Unreasonable.....	12
CONCLUSION.....	12

TABLE OF AUTHORITIES

CASES

In re Studio Movie Grill Holdings, LLC, et al.,
Case No. 20-32633-sgj11 (Bankr. N.D. Tex. July 9, 2021) 16

In re Tuesday Morning Corp., et al.,
Case No. 20-31476-hdh11 (Bankr. N.D. Tex. April 1, 2021) 16

Johnson v. Georgia Highway Express, Inc.,
488 F.2d 714 (5th Cir. 1974) 15

Tony Cullo Motors I, L.P. v. Chapa,
212 S.W.3d 299 (Tex. 2006)..... 8

Varner v. Cardenas,
218 S.W.3d 68 (Tex. 2007)..... 8, 9

**RESPONSE IN SUPPORT OF PLAINTIFF’S PROPOSED
FORM OF JUDGMENT AWARDING ATTORNEYS’ FEES AND COSTS**

Highland Capital Management, L.P. (“Highland” or “Plaintiff”), plaintiff in the above-referenced procedurally-consolidated adversary proceedings (the “Adversary Proceedings”), files this response (the “Response”) to *Defendants’ Objections to Plaintiff’s Proposed Form of Judgment Awarding Attorney’s Fees and Costs* (the “Objection”)¹ in further support of its *Proposed Form of Judgment* and its *Notice of Attorneys’ Fees Calculation and Backup Documentation* (the “Notice”)² filed on August 5, 2022. The above-captioned Defendants raise seven concerns in their Objection regarding the reasonableness and collectability of fees detailed in the Notice as having been actually incurred by Plaintiff’s lead counsel, Pachulski Stang Ziehl & Jones LLP (“PSZJ”). The first six of Defendant’s objections lack merit. The seventh is not so much an objection as it is a request that does not concern Plaintiff.

Objection #1: Mathematical Error

1. Defendants allege that the Notice overstated PSZJ’s fees by \$395,996.50. Objection at 5-6. Defendants are mistaken. There are two reasons for the gap between the calculations set forth in the Notice and Defendants’ calculations.

2. ***First***, Plaintiff inadvertently omitted from the Notice PSZJ’s invoices for January and February 2022.³ Those months were particularly active and PSZJ’s fees and expenses totaled

¹ The defendants (collectively, the “Defendants” and together with Plaintiff, the “Parties”) filed identical copies of their Objection in each of the Adversary Proceedings. *See* Adv. Pro. No. 21-03003-sgj, Docket No. 204; Adv. Pro. No. 21-03004-sgj, Docket No. 173; Adv. Pro. No. 21-03005-sgj, Docket No. 221; Adv. Pro. No. 21-03006-sgj, Docket No. 226; and Adv. Pro. No. 21-03007-sgj, Docket No. 221.

² *See* Adv. Pro. No. 21-03003 at Docket No. 197; Adv. Pro. No. 21-03004 at Docket No. 169; Adv. Pro. No. 21-03005 at Docket No. 214; Adv. Pro. No. 21-03006 at Docket No. 219; and Adv. Pro. No. 21-03007 at Docket No. 214.

³ *See Declaration of John A. Morris in Support of Highland Capital Management, L.P.’s Motion for Leave to Supplement Backup Documentation in Support of Proposed Judgment* (*see, e.g.*, Adv. Pro. No. 21-03003-sgj, Docket No. 206) (“Morris 9/27 Dec.”), **Exhibits B** and **C**.

\$307,493.50 (almost 80% of the alleged “math error”). Plaintiff is simultaneously moving to supplement the record to add these two inadvertently omitted invoices.

3. **Second**, during the period December 1, 2020 through August 10, 2021, timekeepers at PSZJ recorded time spent on the Notes Litigation under the general code “BL” (for “Bankruptcy Litigation”) where time spent on litigation matters other than the Notes Litigation was also recorded.⁴ In the documentation supporting the Notice, all unrelated work was redacted and no compensation is sought with respect to the redacted entries. However, Plaintiff *does* seek compensation for the unredacted entries that are part of the “cost of collection.” Defendants identified the issue but asserted it was “unduly difficult to decipher.” Objection at 6, n. 2. That’s overstated. While perhaps a bit tedious, it is not at all difficult to calculate: for each partially-redacted entry for which compensation is sought, Plaintiff simply added the total unredacted time and multiplied it by the timekeeper’s hourly rate.

4. The results are easy to see. Attached as **Exhibit 1** is a summary of each month’s fees charged by PSZJ for the Notes Litigation that are part of Plaintiff’s “cost of collection” (at least through July 31, 2022) (the “Summary”). Attached as **Exhibits 2** through **10**, respectively, is the “backup” to the Summary for each month from December 2020 through August 10, 2021 (the “Backup”). The Backup shows each entry for the applicable month for which compensation is sought as part of Plaintiff’s “cost of collection,” including all the unredacted portions of the invoices.⁵

⁴ This issue most commonly (but not exclusively) occurred between December 1, 2020 and August 10, 2021 when time spent on the Notes Litigation was recorded in PSZJ’s broad “Bankruptcy Litigation” (or, “BL”) code where other litigation matters were also recorded. *See Declaration of John A. Morris in Support of Highland Capital Management, L.P.’s Proposed Form of Judgment* (Adv. Pro. No. 21-03003-sgj, Docket No. 197) (“Morris 8/5 Dec.”) ¶ 7.

⁵ As an example, on January 21, 2021, Hayley Winograd recorded time under the “BL” code. Except for two entries totaling 0.5 hours, none of the entries concerned the Notes Litigation, so they were redacted and no compensation is sought for them. But because the two unredacted entries concerned the Notes Litigation, the “backup” for January

5. In sum, there was no error in the Notice. The Summary includes the value of the Additional Invoices, and the Backup specifically identifies every entry for which compensation is sought. The total fees and expenses for PSZJ were properly calculated in the aggregate amount of \$2,663,585.30.⁶

Objection #2: Excessive Redaction

6. Defendants contend that fees should not be awarded for “overly redacted” time entries. Objection at 6. Plaintiff does not quarrel with this general principal but notes that it simply does not apply here.

7. As set forth above and in the declaration filed in support of the Notice,⁷ Plaintiff does not seek compensation for any time entry (whether in whole or in part) that was redacted.

Objection #3: Fees Should Be Limited to Breach of Contract and Turnover Claims

8. Defendants argue that Plaintiff may only recover fees for the breach of contract and turnover claims in the complaints because those two counts were the “the only claims addressed by the R&R issued by the Court.” *See* Objection at 6-13. This argument lacks merit, as the Defendants implicitly acknowledge by quoting the *Tony Cullo Motors* case: “Absent a **contract** or statute, trial courts do not have inherent authority to require a losing party to pay the prevailing party’s fees.”⁸ The promissory notes at the heart of these Adversary Proceedings constitute

2021, includes a line item for Ms. Winograd for January 21, 2021, showing the entries, the time billed, and the total compensation sought (*i.e.*, \$695 hourly rate x 0.5 hours = \$347.50). **Exhibit 3.**

⁶ After receiving the Objection, Plaintiff provided copies of the Additional Invoices, the Summary, and the Backup to Defendants’ counsel in an effort to resolve this portion of the Objection. Regrettably, Defendants’ counsel never responded. *See Morris 9/27 Dec. Exhibit A.*

⁷ *See Morris 8/5 Dec. ¶ 10.*

⁸ *Tony Cullo Motors I, L.P. v. Chapa*, 212 S.W.3d 299, 311 (Tex. 2006) (emphasis added) does not help Defendants in the least. The court there held, unremarkably, that because Texas law does not permit recovery for attorneys’ fees on a fraud claim, and because there was no contract between the parties allowing for such recovery, the trial court’s inclusion of attorney fees in the judgment constituted error.

contracts under which Plaintiff is entitled to *all* costs of collection, not just those directly incurred on a subset of litigated issues.

9. Section 6 of each promissory note (“Section 6”) provides:

Attorneys’ Fees. If this Note is not paid at maturity (whether by acceleration or otherwise) and is placed in the hands of an attorney for collection, or if it is collected through a bankruptcy court or any other court after maturity, the Maker shall pay, in addition to all other amounts owing hereunder, all actual expenses of collection, all court costs and reasonable attorneys’ fees and expenses incurred by the holder hereof.

10. Nothing in Section 6 limits Plaintiff’s recovery of “all actual expenses of collection” on any basis. Prevailing on one count of a complaint versus another is irrelevant. The legal nature of one count of a complaint versus another is irrelevant. Whether Plaintiff was effectively forced to amend its complaints to add counts in direct response to Defendants’ manufactured and ultimately unproven “condition subsequent” defense, and whether Plaintiff “prevailed” on those additional counts, is irrelevant. Texas decisional law⁹ pertaining to circumstances where no contract exists between the litigants providing for an award of attorneys’ fees to the prevailing party is irrelevant (and Defendants’ own case citation says so).

11. All that matters is that Section 6 expressly provides for Plaintiff to recover “all actual expenses of collection,” without limitation or qualification of any kind. Thus, “all” expenses

⁹ Defendants cite no case where a Texas state court or a federal court refused to enforce an unambiguous provision in a promissory note entitling the note’s holder to “all” attorneys’ fees; no case limiting fees falling within such a note provision to the noteholder prevailing or not prevailing on a particular count in a complaint; and no case even limiting fees incurred in the unsuccessful prosecution or defense of some motion along the way toward judgment. Notably, *Varner v. Cardenas*, 218 S.W.3d 68, 69 (Tex. 2007), which expressly followed *Tony Cullo Motors*, not only upheld the trial court’s award of attorneys’ fees to the prevailing plaintiff who successfully sued on a promissory note, but also allowed the judgment to include attorneys’ fees the plaintiff incurred in defending against the defendant’s counterclaim:

But we disagree that fees defending against the [defendant’s] counterclaim must be segregated too. By asserting a shortfall in acreage as a defense and counterclaim, [defendant] sought to reduce the amount collected on the note; to collect the full amount, [plaintiff] had to overcome this defense. As [plaintiff’s] attorney’s efforts to that effect were necessary to recover on their contract, they are recoverable.

includes, for example, “all” filing fees, court costs, witness fees and court reporter fees, as well as all expenses associated with discovery. And, as specifically concerns the Objection, “all” means *all* “reasonable attorneys’ fees and expenses incurred by” Plaintiff.

12. That Plaintiff incurred significant attorneys’ fees in amending the complaints following Defendants’ announcement of their fanciful “condition subsequent” defense does not take those fees outside the purview of the word “all.” This is especially true because all of the fees Defendants argue should be excluded from the judgments were incurred because of Defendants’ own machinations. Rather than acknowledge that they had no meritorious defense to the payment of unambiguous demand notes, all in default, Defendants turned these straightforward collection actions into an orgy of litigation, fabricating meritless defenses, advancing unpersuasive arguments, requiring extensive discovery and numerous depositions, amending their answers, and forcing Plaintiff to amend the complaints to respond to the novel “condition subsequent” defense.

13. *All* of the fees Plaintiff incurred in playing Defendants’ cynical game of Whack-a-Mole, in overcoming every obstacle Defendants attempted to place in Plaintiff’s path toward judgment—even in responding to Defendants’ ill-fated attempt to compel an arbitration of these simple collection matters and Defendants’ immediate appeal of this Court’s ruling denying their arbitration motion—all of it, for more than a year, is directly attributable to Defendants’ own litigation strategies, choices, and impositions on Plaintiff and on this Court.¹⁰ *Defendants*, not Plaintiff, caused the word “all” in the notes to encompass far more fees than might otherwise have been incurred had Defendants not cravenly attempted to defend the indefensible.

14. Defendants’ attempt to artificially limit the fees Plaintiff actually incurred in connection with these Adversary Proceedings—which **only** involve the collection of promissory

¹⁰ See *Varner v. Cardenas*, 218 S.W.3d at 69.

notes “not paid at maturity ... collected through a bankruptcy court ...”—ignores the plain meaning of the notes. There is nothing ambiguous about the phrase “all actual expenses of collection.” The drafter of the notes should be commended for writing so clear and unambiguous a provision. That drafter, of course, was Mr. Dondero.

Objection #4: Exclude “Unsegregated” Fees

15. Defendants argue that Plaintiff should not recover fees because counsel’s time records did not “segregate” fees among the several Defendants, citing the *Clearview Properties* case. See Objection at 13-16. *Clearview Properties* stands for the unremarkable proposition that a plaintiff seeking an award of fees bears the burden of demonstrating that segregation is not required, and asserting that all claims against all defendants arise from common facts can be insufficient to satisfy that burden. Defendants ignore, of course, a critical component of these Adversary Proceedings, a component absent from the *Clearview Properties* case: *these Adversary Proceedings were consolidated for all purposes*, something to which the Defendants readily agreed.

16. Indeed, before most of the fact depositions or any expert discovery was undertaken, the Parties entered into a court-approved Stipulation providing, among other things, that:

The Parties agree that discovery taken in this case will be consolidated with discovery taken in the [] [A]dversary [P]roceedings and all discovery in each of the [A]dversary [P]roceedings will be treated as if it was taken in all of the [A]dversary [P]roceedings . . . so that each witness will only need to be deposed once and documents produced in any of the [Adversary P]roceedings are usable as if received in every other [P]roceeding.

See Order Approving Stipulation Governing Discovery and Other Pre-Trial Issues [Adv. Pro. No. 21-03003-sgj, Docket No. 86] ¶ 4.¹¹

¹¹ See also Adv. Pro. No. 21-03004-sgj, Docket No. 68 (same); Adv. Pro. No. 21-03005-sgj, Docket No. 70 (same); Adv. Pro. No. 21-03006-sgj, Docket No. 75 (same); and Adv. Pro. No. 21-03007-sgj, Docket No. 70 (same).

17. It is disingenuous for Defendants to agree to the consolidation of discovery and then later complain about the consolidation of discovery. Defendants themselves consented to and participated in consolidated hearings on all matters, consolidated discovery in all respects—by agreement, all witnesses, common to the parties, sat for deposition once, not separately for each Defendant—and consolidated proceedings and hearings on summary judgment.

18. Indeed, *all* of the Defendants have now asserted the “conditions subsequent” defense,¹² and even HCMFA relied on the same witnesses as the other Defendants for its remaining defenses, all of whom testified once, and took consolidated discovery with all other Defendants. Defendants’ suggestion that the proceedings in these completely consolidated cases remained separate is not credible. Counsel for all Defendants participated in all proceedings in this Court and all discovery because everything was consolidated, just as Defendants themselves wanted.

19. That consolidation only made sense. At all times, each of these Defendants was owned and controlled by Mr. Dondero. All Defendants were close affiliates of one another. The individual Defendants were brother and sister. All Defendants asserted the same fabricated “condition subsequent” defense.¹³ All designated the same witnesses to be deposed—once, not several times. All were represented by the same law firms in these consolidated proceedings,

¹² While HCMFA did not assert the “conditions subsequent” defense in the main notes litigation, it did so in the follow-up adversary proceeding where Plaintiff seeks to collect on two promissory notes issued by HCMFA that were the subject of a forbearance agreement and that were therefore not included in the main notes litigation. *See* Adv. Pro. No. 21-03082-sgj (the “Second HCMFA Action”). The District Court, *sua sponte*, consolidated the Second HCMFA Action with the main notes litigation (*see* Case No. 3:21-cv-00881-X, Docket No. 49), and Plaintiff moved for summary judgment in the Second HCMFA Action based in substantial part on the evidence adduced in the main notes litigation (*see, e.g.*, Adv. Pro. No. 21-03082-sgj, Docket No. 48 (Plaintiff’s Appendix including all documents (including deposition transcripts) used to support its motion for summary judgment in the main notes litigation)). Thus, all Defendants agreed to, and benefitted from, the consolidation of the Adversary Proceedings and discovery for efficiency purposes.

¹³ *See* Adv. Pro. No. 21-03082-sgj, Docket No. 48 (Plaintiff’s Appendix, Ex. 215 (deposition transcript of James Dondero taken in the Second HCMFA Action), Appx. 4906-07) (agreement that transcripts from main notes litigation could be used in the Second HCMFA Action for efficiency purposes); (Plaintiff’s Appendix, Ex. 210 (deposition transcript of Nancy Dondero taken in the Second HCMFA Action), Appx. 4842-43) (agreement that transcripts from main notes litigation could be used in the Second HCMFA Action for efficiency purposes).

appeared at all depositions and all hearings, and obviously collaborated in the defense of these actions. The promissory notes—they all contain Section 6, entitling Highland to “all expenses of collection”—are all functionally identical. To ignore all of this and persist in the pretense that each Defendant has litigated these matters separately from one another is to elevate form over substance and, worse, allow these Defendants to benefit from the consolidation while simultaneously punishing Plaintiff—the prevailing party—for that same consolidation.

20. The very consolidation that enabled all parties and this Court to enjoy at least some level of litigation efficiency, the very consolidation these Defendants wanted and moved this Court to impose, is now the consolidation Defendants would have this Court utterly ignore in favor of requiring Plaintiff to do the impossible—to segregate fees incurred in fully consolidated proceedings, Defendant by closely-affiliated Defendant, as though there were no consolidation either ordered by this Court or stipulated to by these Defendants.¹⁴ The egg has been thoroughly scrambled for well over a year. Defendants willingly scrambled it, but would now have the prevailing Plaintiff separate yolk from white. This is ridiculous.

Objection #5: Plaintiff Should Not Get Fees for “Unsuccessful Litigation”

21. Defendants attempt to highlight three pieces of this lengthy litigation as the sole examples of instances in which Plaintiff did not prevail, then argue unpersuasively that the fees associated with those three pieces are not recoverable.

22. As a threshold matter, the entire argument ignores the simple, unavoidable fact of Section 6, which entitles Plaintiff to “all expenses of collection” without regard to whether Plaintiff

¹⁴ None of the cases—even the oddly-included and non-binding case from Florida state court—Defendants cite in support of this particular objection included a consolidation of proceedings against closely-affiliated defendants. None featured consolidated actions on functionally identical, unambiguous promissory notes all made by defendants payable to a close affiliate of the defendants. None featured consolidated discovery using identical witnesses testifying once at deposition for all defendants. None addressed circumstances even remotely resembling these consolidated Adversary Proceedings.

prevailed or not on isolated motions along the way to a judgment in full on the merits. As stated above, no law—not Texas state law, not bankruptcy law—requires a successful plaintiff *entitled to all costs and fees of collection on a note* to prevail on every jot and tittle in a multi-faceted, multiple-defendant, multi-year litigation in order to have “all expenses of collection” awarded as part of the judgment on the note. None of Defendants’ cases in this section of the Objection stands for such a proposition. The only cited case binding on this Court—the *Wal-Mart* case—says nothing of the sort and is otherwise inapplicable because it did not involve an action on a note, or a contract that entitled the prevailing party to all fees, or consolidated litigation against closely-affiliated defendants.¹⁵

23. Even if Plaintiff’s uniform success at every small step on the way to complete victory mattered at all (and it does not), Defendants mischaracterize all three instances of so-called “unsuccessful” litigation:

a. Defendants moved to strike the Klos declaration attached to Plaintiff’s reply appendix in support of summary judgment, (*see, e.g.*, Adv. Proc. 21-3003, Docket No. 169), and the Bankruptcy Court granted the motion to strike on the ground that Plaintiff did not seek leave of court to include the Klos declaration in a reply appendix, (*see id.* at Docket No. 187). Thus, this was a simple evidentiary ruling by the court and does not constitute an example of “unsuccessful litigation.”

¹⁵ Even the Objection demonstrates *Wal-Mart*’s inapplicability by quoting that case thus: “multiple claims against multiple parties ... could have been **easily segregated**” 647 F.3d 237, 244, 246–48 (5th Cir. 2021) (emphasis added). In that case, the plaintiff did *not* prevail against all the defendants, as Highland did here. The defendants were unaffiliated, and there was no mention of the type of deep consolidation of all proceedings in that litigation that typified these Adversary Proceedings.

b. Plaintiff did not “lose” its “motion for sanctions.”¹⁶ The motion Defendants refer to was not a stand-alone motion for sanctions. That motion¹⁷ was a single motion seeking two forms of relief: (i) the striking of an argument in opposition to summary judgment that was precluded by a prior court order; and (ii) sanctions for that conduct. Plaintiff *prevailed* on that motion because this Court granted the motion to strike. Yes, the Court declined to award sanctions, but it granted the motion.¹⁸ It would have been impossible to parse the work done with respect to the striking of the impermissible argument from the work done with respect to seeking sanctions for pursuing the same impermissible argument. Not surprisingly, Defendants cite no law that would award fees for prevailing on one form of relief in a motion while denying fees for not prevailing on another form of relief in the same motion based on the same conduct and advancing the same arguments. Such a rule, especially in the present circumstances, would be absurd. Plaintiff prevailed on that motion and, even ignoring that Plaintiff is entitled to *all* fees under the notes, Plaintiff’s fees incurred in connection with that motion would be awardable even under Defendants’ theory.

c. Plaintiff’s efforts to consolidate these proceedings before a different district court judge than that ultimately received these cases were undeniably a part of the integrated tactics and actions taken in these collection cases. It is technically true that Plaintiff did not prevail in its effort to consolidate these cases before that other judge, but those were good-faith efforts to maximize Plaintiff’s chances of success in nascent litigation against a highly-litigious set of foes. No one “wasted everyone’s time”¹⁹ Compared with months and months of litigation caused by

¹⁶ Objection at 17.

¹⁷ Adv. Proc. No. 21-3006, Docket No. 162.

¹⁸ Adv. Proc. No. 21-3006, Docket No. 208.

¹⁹ Objection at 18. Indeed, as the Bankruptcy Court explained, the Plaintiff followed the “typical procedure in consolidation actions” but the District Court consolidated the cases before a different judge for reasons of “judicial

Defendants’ pulling the “condition subsequent” defense out of the ether, then litigating a meritless arbitration demand (and then appealing this Court’s rejection of that demand), Plaintiff’s initial consolidation motion, resolved over the course of a couple weeks, is hardly unreasonable. And, again, none of this matters because the notes entitle Plaintiff to “all expenses of collection.”

Objection #6: PSZJ’s Rates Are Too High

24. Defendants argue that PSZJ’s rates are unreasonably high because they exceed the rates that some law firms located in Dallas charge for similar services. But this Court has already approved PSZJ’s rates as reasonable under Bankruptcy Code § 330 after Defendant NexPoint opposed PSZJ’s final fee application in the administrative case.²⁰ Moreover, this Court has already heard argument regarding PSZJ’s billing rates and has already approved those rates as reasonable under the applicable standard originally announced by the Fifth Circuit in *Johnson*.²¹

25. Wholly aside from the reasonableness of PSZJ’s rates in relation to the complexity of this Chapter 11 case, the notably high value of the estate’s assets, and the unrestrained litigiousness Mr. Dondero and his entities foisted on these proceedings, it is worth emphasizing that Mr. Dondero, in his capacity as President of Highland, personally hired Plaintiff’s counsel when he controlled Highland and agreed, in writing, to the very fee structure and rates (albeit with

efficiency” and “due to certain other factors.” See *Report and Recommendation to District Court: Court Should Grant Plaintiff’s Motion for Partial Summary Judgment Against All Five Note Maker Defendants*, Adv. Pro. No. 21-03003-sgj, Docket No. 191 at 4, n.5.

²⁰ See Case No. 19-34054-sgj11 (the “Bankruptcy Docket”), Docket No. 2906, *Fifth and Final Application for Compensation and Reimbursement of Expenses of Pachulski Stang Ziehl & Jones LLP* at 37–39 (describing how PSZJ’s fees satisfied the so-called *Johnson* factors—see *Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974)); Bankruptcy Docket No. 3055, *Order Granting Fifth and Final Application for Compensation and Reimbursement of Expenses of Pachulski Stang Ziehl & Jones LLP* (the “Final Fee Order”).

²¹ Although it is true that Defendant NexPoint timely appealed this Court’s Final Fee Order, the District Court dismissed that appeal without reaching the merits because NexPoint lacked appellate standing under the Fifth Circuit’s “person aggrieved” standard. See *NexPoint Advisors, L.P. v. Pachulski Stang Ziehl & Jones LLP et al.*, case no. 3:21-cv-03086-K (N.D. Tex.), Docket No. 37, *Memorandum Opinion and Order*. Unsurprisingly, NexPoint has now appealed the District Court’s dismissal order to the Fifth Circuit Court of Appeals and will undoubtedly ask the Fifth Circuit to overturn the “person aggrieved” standard adopted and re-adopted in decades of the Court of Appeals’ own jurisprudence.

disclosed, annual increases customary in the industry) he now complains about. The irony of Defendants now objecting to PSZJ's rates is almost too much. Mr. Dondero and the other Defendants he owns and controls cannot now be heard to object to fee rates that he agreed to when he engaged PSZJ to act as Highland's primary Chapter 11 counsel.

26. PSZJ's fee rates have also been approved as reasonable in other Chapter 11 cases in this District in cases not as complex as this one and in cases that did not feature a vexatious litigant bent on making good on his threat to "burn the place down." *See, e.g., In re Studio Movie Grill Holdings, LLC, et al.*, Case No. 20-32633-sgj11 (Bankr. N.D. Tex. July 9, 2021), Docket No. 989; *In re Tuesday Morning Corp., et al.*, Case No. 20-31476-hdh11 (Bankr. N.D. Tex. April 1, 2021), Docket No. 2214.

Objection #7: The Distribution of Fees and Costs Among Defendants Is Unreasonable

27. Finally, Defendants express dissatisfaction with Plaintiff's proposed equal distribution of awarded fees among all five Defendants. Plaintiff is indifferent and has no objection if Defendants would rather allocate Plaintiff's fees and costs *pro rata*, based on the ratio of the outstanding principal and interest owed by each Obligor to the total principal and interest owed by all Obligors.

CONCLUSION

28. The Objection lacks merit in all respects. Plaintiff is entitled to "all expenses of collection" of all notes, which includes all fees Plaintiff incurred in this consolidated set of Adversary Proceedings made endlessly complicated and litigious by the very Defendants now seeking to prevent Plaintiff from recovering fees under the unambiguous provision of promissory notes Mr. Dondero wrote. The Court should overrule the Objection and include in the final judgment in this matter all fees and costs submitted to this Court in the Notice and otherwise.

Dated: September 27, 2022

PACHULSKI STANG ZIEHL & JONES LLP

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EXHIBIT 1

Month	Invoice #	Total Invoice	Misapplied Fees (If any)	Adjusted Invoice
December 2020 (Matter 002)*	126769	\$26,033.00	\$0.00	\$26,033.00
January 2021 (Matter 002)**	127125	\$53,348.00	\$0.00	\$53,348.00
February 2021 (Matter 002)	127314	\$1,307.50	\$0.00	\$1,307.50
March 2021 (Matter 002)	127522	\$53,270.50	\$0.00	\$53,270.50
April 2021 (Matter 002)***	127680	\$125,307.50	\$0.00	\$125,307.50
May 2021 (Matter 002)	127958	\$260,971.50	\$0.00	\$260,971.50
June 2021 (Matter 002)	128195	\$101,276.50	\$0.00	\$101,276.50
July 2021 (Matter 002)	128292	\$65,093.00	\$0.00	\$65,093.00
August 1 - 10 2021 (Matter 002)****	128474	\$135,289.00	\$0.00	\$135,289.00
August 11 - 31, 2021 (Matter 003)	128567	\$31,635.50	\$0.00	\$31,635.50
September 2021 (Matter 003)	128688	\$235,361.50	\$0.00	\$235,361.50
Supplement through October 7, 2021 (Matter 002) (JAM)	128606	\$3,237.00	\$0.00	\$3,237.00
October 2021	128950	\$375,653.50	\$0.00	\$375,653.50
November 2021	129043	\$325,888.50	(\$3,221.00)	\$322,667.50
December 2021	129324	\$345,649.00	(\$2,542.50)	\$343,106.50
January 2022 (Matter 004)	129683	\$140,045.50	(\$5,134.50)	\$134,911.00
February 2022	129792	\$172,582.50	\$0.00	\$172,582.50
March 2022	129886	\$85,373.00	\$0.00	\$85,373.00
April 2022	130115	\$109,294.80	\$0.00	\$109,294.80
May 2022	130359	\$4,430.50	\$0.00	\$4,430.50
June 2022	130403	\$1,674.00	\$0.00	\$1,674.00
July 2022	130494	\$21,761.50	\$0.00	\$21,761.50
TOTAL DUE				\$2,663,585.30

*Differs from Trial Exhibit 169 in that an entry from 12/20/21 was removed, as it does not apply to the Notes Litigation.

**Differs from Trial Exhibit 170 in that a portion of an entry from 1/22/21 totaling 0.2 hours was inadvertently omitted from Trial Exhibit 170.

***Differs from Trial Exhibit 173 in that 2 entries from 4/29/21 totaling 0.7 hours were inadvertently omitted from Trial Exhibit 173.

****Differs from Trial Exhibit 178 in that: (i) eleven entries from 06/04/21, 06/10/21, 07/01/21, 07/06/21, 07/09/21, 07/29/21, 07/30/21, 08/02/21 and 08/10/21 were removed, as they do not apply to the Notes Litigation; (ii) one entry from 8/10/22 totaling 0.1 hour was inadvertently omitted from Trial Exhibit 178.

EXHIBIT 2

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
12/5/2020	GIG	BL	Research re bankruptcy court jurisdiction over note	2.20	\$895.00	\$1,969.00
12/7/2020	IDK	BL	E-mails with G Glazer on status of Stern issues re demand note litigation vs Dondero related entities.	0.10	\$1,145.00	\$114.50
12/7/2020	GIG	BL	Research re bankruptcy court jurisdiction over note	5.50	\$895.00	\$4,922.50
12/7/2020	GIG	BL	Research re bankruptcy court jurisdiction over note	4.30	\$895.00	\$3,848.50
12/8/2020	GIG	BL	Research re bankruptcy court jurisdiction over note	1.20	\$895.00	\$1,074.00
12/8/2020	GIG	BL	Prepare memo re jurisdiction issue	6.90	\$895.00	\$6,175.50
12/8/2020	GIG	BL	Emails Ira D. Kharasch re jurisdiction memo	0.10	\$895.00	\$89.50
12/9/2020	IDK	BL	Attend conference call with J. Pomerantz, others, demand note upcoming litigation, (.8).	0.80	\$1,145.00	\$916.00
12/10/2020	GIG	BL	Emails Ira D. Kharasch re jurisdiction memo	0.10	\$895.00	\$89.50
12/11/2020	GIG	BL	Emails with Gregory V. Demo re jurisdiction	0.20	\$895.00	\$179.00
12/11/2020	GVD	BL	Review research re bankruptcy jurisdiction	0.30	\$825.00	\$247.50
12/15/2020	BEL	BL	Telephone conference with John A. Morris regarding complaint regarding demand notes.	0.20	\$825.00	\$165.00
12/15/2020	BEL	BL	Review demand notes.	0.50	\$825.00	\$412.50
12/15/2020	JAM	BL	telephone conference with B. Levine re: collection actions on demand notes (0.1);	0.10	\$1,075.00	\$107.50
12/16/2020	BEL	BL	Review notes and draft complaint.	3.70	\$825.00	\$3,052.50
12/20/2020	JAM	BL	review/revise complaint against Dondero for breach of demand notes (0.8); e-mail to J. Pomerantz, I. Kharasch, G. Demo, H. Winograd, B. Levine re: complaint against Dondero (0.1).	0.90	\$1,075.00	\$967.50
12/21/2020	JNP	BL	Review draft complaint against Dondero for demand notes.	0.10	\$1,075.00	\$107.50
12/21/2020	JAM	BL	Telephone conference with J. Pomerantz, I. Kharasch, G. Demo, H. Winograd re: HarbourVest settlement, demand notes, (1.0); e-mail to J. Seery, J. Pomerantz, I. Kharasch, G. Demo, H. Winograd re: complaint against Dondero (demand notes) (0.1).	1.10	\$1,075.00	\$1,182.50
12/27/2020	GVD	BL	Review and revise complaint re demand notes	0.50	\$825.00	\$412.50
TOTAL						\$26,033.00

EXHIBIT 3

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
1/7/2021	JAM	BL	e-mail to M. Clemente, P. Montgomery, J. Pomerantz, G. Demo re: complaint against defaulting demand note parties (0.2);	0.20	\$1,245.00	\$249.00
1/9/2021	IDK	BL	Attend conference call with internal team on prep/status for prosecution of demand notes (2.0)	2.00	\$1,325.00	\$2,650.00
1/10/2021	IDK	BL	E-mails with K Brown re overseeing demand note	0.20	\$1,325.00	\$265.00
1/11/2021	IDK	BL	Telephone conference and e-mails with K Brown re prosecuting demand notes vs Dondero (.2).	0.20	\$1,325.00	\$265.00
1/11/2021	IDK	BL	E-mails with B Levine re demand notes and need to commence actions and prior draft of complaint (.2); E-mails with local counsel re same re writs of attachment for same (.3).	0.50	\$1,325.00	\$662.50
1/12/2021	IDK	BL	E-mails with K Brown, H Winograd re getting complaints filed on demand notes and logistics (.2).	0.20	\$1,325.00	\$265.00
1/12/2021	KHB	BL	Emails with I. Kharasch and Hayley R. Winograd re complaints on promissory notes and writs of attachment.	0.20	\$1,225.00	\$245.00
1/12/2021	GVD	BL	Correspondence with PSZJ litigation team re demand letters	0.20	\$950.00	\$190.00
1/12/2021	HRW	BL	Review Dondero demand note complaint (0.2); Review demand letters (0.3)	0.50	\$695.00	\$347.50
1/13/2021	IDK	BL	E-mails with K Brown, others re legal issues,	0.40	\$1,325.00	\$530.00
1/13/2021	KHB	BL	Review complaint and demand letters re promissory	1.90	\$1,225.00	\$2,327.50
1/13/2021	BEL	BL	Emails regarding draft Dondero complaint.	0.20	\$950.00	\$190.00
1/13/2021	GVD	BL	Conference with K. Brown and H. Winograd re	0.80	\$950.00	\$760.00
1/13/2021	HRW	BL	Call with G. Demo and K. Brown re: demand note complaints (0.6); Call with G. Demo re: demand note complaints (0.1); Review Demand Notes and related documents (0.8); Draft Demand Note Complaints against Dondero and related entities (4.5).	6.00	\$695.00	\$4,170.00
1/14/2021	IDK	BL	E-mails with H Winograd and J Morris re next steps	0.10	\$1,325.00	\$132.50
1/14/2021	JNP	BL	Review email regarding suits against noteholders	0.10	\$1,295.00	\$129.50
1/14/2021	KHB	BL	call with Greg Demo (GD), J. Morris (JM) and Hayley Winograd ("HG") re litigation strategy on promissory notes (.4); confer with HG re form of complaints (.2); review and revise complaint (1.6); emails with HG re revisions to complaints (.5).	2.70	\$1,225.00	\$3,307.50
1/14/2021	JAM	BL	telephone conference with G. Demo re: complaints against makers of notes (0.2); telephone conference with K. Brown, H. Winograd, G. Demo (partial participation) re: complaints against makers of notes (0.5)	0.70	\$1,245.00	\$871.50
1/14/2021	HRW	BL	Draft Demand Note Complaints against Dondero and related entities (5.5); PSZJ call re: Demand Note Complaints and litigation strategy (0.5); Review Demand Notes and related documents (1.0); Call with K. Brown re: Demand Note Complaints (0.1)	7.10	\$695.00	\$4,934.50
1/15/2021	KHB	BL	Work on complaints on promissory notes (4.4).	5.20	\$1,225.00	\$6,370.00
1/15/2021	GVD	BL	Review and revise demand note complaint	0.30	\$950.00	\$285.00
1/15/2021	HRW	BL	Draft Demand Note Complaints against Dondero and related entities (7.5).	7.50	\$695.00	\$5,212.50
1/16/2021	HRW	BL	Draft complaints against Dondero and related	4.80	\$695.00	\$3,336.00
1/17/2021	HRW	BL	Draft complaints against Dondero and related entities re: demand notes (4.5).	4.50	\$695.00	\$3,127.50

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
1/18/2021	JNP	BL	Conference with Sidley, John A. Morris, Ira D. review comments to complaints on promissory notes by J. Morris and email to J. Morris and H. Winograd	0.70	\$1,295.00	\$906.50
1/18/2021	KHB	BL	re same (.2); work on complaints (.7); call with Committee counsel, J. Morris and J. Pomerantz re litigation strategy (.7).	1.60	\$1,225.00	\$1,960.00
1/18/2021	JAM	BL	review/revise draft Complaint against Dondero for recovery under demand notes (0.9); e-mail to K. Brown, H. Winograd, J. Pomerantz, I. Kharasch, G. Demo re: revisions to draft Complaint against Dondero for recovery under demand notes (0.2); e-mails to Sidley, J. Pomerantz, G. Demo, H. Winograd re: complaints for recovery under demand notes (0.3);	1.40	\$1,245.00	\$1,743.00
1/18/2021	HRW	BL	Draft complaints against Dondero and related entities re: demand notes (7.5); Call with Committee re: litigation strategy (0.8).	8.30	\$695.00	\$5,768.50
1/22/2021	KHB	BL	Emails with H. Winograd and J. Morris re complaints on promissory notes.	0.20	\$1,225.00	\$245.00
1/22/2021	JAM	BL	review complaints concerning demand notes and send e-mail to Z. Annable, J. Pomerantz, I. Kharasch, G. Demo, H. Winograd concerning the same (0.2); review Z. Annable comments to note complaints and cover sheets (0.2); e-mail to Z. Annable re: note complaints and cover sheets (0.1); telephone conference with J. Seery re: note complaints (0.1);	0.60	\$1,245.00	\$747.00
1/28/2021	JMF	BL	Review complaints and background re notes receivables re HCMS, HCRE, and HCMFA.	1.10	\$1,050.00	\$1,155.00
TOTAL						\$53,348.00

EXHIBIT 4

FEBRUARY 2021
Exhibit 4 - Page 2 of 2

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
2/2/2021	HRW	BL	Draft letters to HCRE and HCMS re: partial payments and demand letters (1.3).	1.30	\$695.00	\$903.50
2/6/2021	IDK	BL	E-mails with G Demo re correspondence with Gov	0.20	\$1,325.00	\$265.00
2/8/2021	HRW	BL	Draft follow-up to demand letters for HCRE and HCSM	0.20	\$695.00	\$139.00
TOTAL						\$1,307.50

EXHIBIT 5

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
3/2/2021	JAM	BL	review of status of adversary proceedings concerning promissory notes (0.4); e-mail to J. Pomerantz, I. Kharasch, G. Demo, H. Winograd re: status of adversary proceedings concerning promissory notes (0.2).	0.60	\$1,245.00	\$747.00
3/2/2021	HRW	BL	Prepare joint proposed scheduling order for demand note adversary proceedings involving HCMFA and NPA (1.2); Review adversary proceedings and critical dates (0.6); Review NPA and HCMFA answer to complaints (0.4);	2.20	\$695.00	\$1,529.00
3/3/2021	HRW	BL	Prepare joint proposed scheduling order for demand note adversary proceedings (0.8); e-mails with H. Winograd re: model scheduling order for notes litigation (0.1); e-mail to L. Hogewood, D. Rukavina re: proposed scheduling orders for HCMFA and Nexpoint notes litigation (0.2)	0.80	\$695.00	\$556.00
3/4/2021	JAM	BL	Hogewood, D. Rukavina re: proposed scheduling orders for HCMFA and Nexpoint notes litigation (0.2)	0.30	\$1,245.00	\$1,529.00
3/4/2021	HRW	BL	Prepare joint proposed scheduling order for demand note adversary proceedings (1.8); e-mail to L. Drawhorn, H. Winograd re: proposed scheduling orders for HCRE and HCMS notes litigation (0.2); e-mail to D. Rukavina re: proposed scheduling orders for Nexpoint and HCMFA notes litigation (0.1).	1.80	\$695.00	\$1,251.00
3/5/2021	JAM	BL	litigation (0.2); e-mail to D. Rukavina re: proposed scheduling orders for Nexpoint and HCMFA notes litigation (0.1).	0.30	\$1,245.00	\$373.50
3/7/2021	JAM	BL	Review/revise proposed scheduling orders for HCMFA and NexPoint notes litigation (0.4); e-mail to D. Rukavina, L. Hogewood, H. Winograd re: revised proposed scheduling orders for HCMFA and NexPoint notes litigation (0.2);	0.60	\$1,245.00	\$747.00
3/7/2021	GVD	BL	Correspondence with J. Morris re term note defaults	0.20	\$950.00	\$190.00
3/8/2021	JNP	BL	Conference with John A. Morris regarding	0.10	\$1,295.00	\$129.50
3/8/2021	JAM	BL	communications with J. Seery, J. Pomerantz, J. Bonds re: Dondero request for extension of time to respond to notes litigation (0.2);	0.20	\$1,245.00	\$249.00
3/8/2021	HRW	BL	Review and draft joint proposed scheduling orders for Demand Note adversary proceedings relating to HCRE, HCMFA, NPA, HCMS (1.5);	1.50	\$695.00	\$1,042.50
3/9/2021	JAM	BL	e-mails with H. Winograd, Z. Annable re: scheduling orders for the HCRE and HCMS adversary proceedings (0.2); e-mails with H. Winograd, Z. Annable re: scheduling orders for NexPoint and HCMFA adversary proceedings (0.1);	0.30	\$1,245.00	\$373.50
3/9/2021	HRW	BL	Review joint proposed scheduling orders for Demand Note adversary proceedings relating to HCRE, HCMFA, NPA, HCMS (0.8).	0.80	\$695.00	\$556.00
3/10/2021	JAM	BL	communications with Z. Annable, D. Rukavina, H. Winograd re: scheduling matters for notes litigation (0.2);	0.20	\$1,245.00	\$249.00
3/17/2021	JAM	BL	e-mail to J. Pomerantz, I. Kharasch, G. Demo, H. Winograd re: discovery of Dondero on notes litigation (0.7).	0.70	\$1,245.00	\$871.50
3/17/2021	HRW	BL	Review Dondero answer to demand note complaint	3.90	\$695.00	\$2,710.50
3/17/2021	JAM	BL	E-mail to J. Seery re: promissory notes' litigation (0.1); review/revise draft document request for Dondero (notes litigation) (0.2); e-mail to G. Demo, H. Winograd re: requests to admit for Dondero (notes litigation) (0.3);	0.60	\$1,245.00	\$747.00
3/18/2021	HRW	BL	Draft discovery demands directed to Dondero for demand note litigation (2.8);	2.80	\$695.00	\$1,946.00
3/19/2021	JAM	BL	review/revise discovery requests to Dondero re: notes litigation (0.3); e-mails to J. Seery, J. Pomernatz, I. Kharasch, G. Demo, H. Winograd re: discovery requests to Dondero re: notes litigation (0.2); review/revise and send e-mail to J. Seery, PSZJ team re: scheduling of notes litigation (0.2);	0.70	\$1,245.00	\$871.50
3/24/2021	HRW	BL	Draft response to Dondero's motion for a continuance of demand note proceeding (0.4).	0.40	\$695.00	\$278.00
3/25/2021	JAM	BL	E-mails to Bonds Ellis re: Debtor's discovery demands for Dondero notes litigation (0.3).	0.30	\$1,245.00	\$373.50
3/26/2021	JNP	BL	Review Dondero motion for continuance of note lawsuit.	0.10	\$1,295.00	\$129.50
3/26/2021	JNP	BL	Review emails regarding Dondero note litigation	0.10	\$1,295.00	\$129.50

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
3/26/2021	JAM	BL	Telephone conference with J. Seery re: Dondero	2.90	\$1,245.00	\$3,610.50
3/26/2021	GVD	BL	Conference with J. Morris re demand note issues	0.20	\$950.00	\$190.00
3/26/2021	HRW	BL	Call with J. Morris re: objection to Dondero	2.10	\$695.00	\$1,459.50
3/27/2021	JAM	BL	Review documents and draft objection to Dondero	4.90	\$1,245.00	\$6,100.50
3/27/2021	LSC	BL	Review documents and retrieve and prepare exhibits	4.40	\$460.00	\$2,024.00
3/27/2021	HRW	BL	Draft objection to Dondero's emergency motion to	5.00	\$695.00	\$3,475.00
3/28/2021	JAM	BL	E-mails with D. Klos, K. Hendricks, J. Pomerantz, I.	5.60	\$1,245.00	\$6,972.00
3/28/2021	LSC	BL	Continued preparation of exhibits in connection with	1.20	\$460.00	\$552.00
3/28/2021	HRW	BL	Draft objection to Dondero's emergency motion to continue demand note proceeding (4.5).	4.50	\$695.00	\$3,127.50
3/29/2021	JNP	BL	Review opposition to motion by Dondero to continue trial on note litigation.	0.10	\$1,295.00	\$129.50
3/29/2021	JAM	BL	Review and send RFAs for Dondero's notes litigation (0.2); revise objection to Dondero's motion to modify scheduling order (0.9); e-mails to J. Pomerantz, I. Kharasch, G. Demo, H. Winograd, L. Canty re: revised objection to Dondero's motion to modify scheduling order and exhibits in support thereof (0.2); review exhibits and e-mail to L. Canty re: redactions and related matters (0.5); e-mails to J. Seery, J. Pomerantz, I. Kharasch, G. Demo, H. Winograd re: draft objection to Dondero's motion to modify scheduling order and exhibits in support thereof (0.1); review/revise objection to Dondero motion to modify scheduling order (0.2); review/revise JAM declaration in support of objection to Dondero motion to modify scheduling order (0.3).	2.40	\$1,245.00	\$2,988.00
3/29/2021	LSC	BL	Prepare redacted exhibits for Objection to Dondero motion to modify scheduling order.	0.50	\$460.00	\$230.00
3/29/2021	HRW	BL	Edit and review objection to Dondero's emergency motion to continue demand note proceedings (2.5).	2.50	\$695.00	\$1,737.50
3/30/2021	JNP	BL	Emails regarding Court ruling on extending Dondero	0.10	\$1,295.00	\$129.50
3/30/2021	JAM	BL	Review/revise objection to Dondero motion to	1.10	\$1,245.00	\$1,369.50
3/30/2021	LSC	BL	Redact additional exhibits (.3); research and review	3.20	\$460.00	\$1,472.00
3/31/2021	JAM	BL	e-mails with B. Assink, H. Winograd re: modified scheduling order in Dondero's notes litigation (0.1).,	0.10	\$1,245.00	\$124.50
TOTAL						\$53,270.50

EXHIBIT 6

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
4/1/2021	IDK	BL	E-mails with J Pomerantz, G Demo, CEO re	0.20	\$1,325.00	\$265.00
4/1/2021	JNP	BL	Emails to and from Gregory V. Demo regarding D. Rukavina email regarding withdrawal of the reference.	0.10	\$1,295.00	\$129.50
4/1/2021	JNP	BL	Review and respond to email regarding withdrawal of reference for note lawsuits.	0.10	\$1,295.00	\$129.50
4/1/2021	JAM	BL	Telephone conference with H. Winograd re: discovery in AP against Advisors (notes litigation) (0.1); prepare discovery document requests and interrogatories for AP against Advisors (notes litigation) (0.9); review/revise requests for admission for AP against Advisors (notes litigation) (0.3); e-mails with H. Winograd re: discovery requests for AP against Advisors (notes litigation) (0.2); e-mail to D. Rukavina, H. Winograd re: discovery in AP against Advisors (notes litigation) (0.1).	1.60	\$1,245.00	\$1,992.00
4/1/2021	HRW	BL	Call with J. Morris re: discovery in NPA demand note litigation (0.1); Draft discovery demands in NPA demand note litigation (1.0); Review adversary proceeding critical dates (0.6).	1.70	\$695.00	\$1,181.50
4/2/2021	JNP	BL	Review witness list and reply brief regarding Committee's motion regarding Dondero discovery.	0.20	\$1,295.00	\$259.00
4/4/2021	JAM	BL	E-mail to H. Winograd re: notes litigation (0.1);	0.10	\$1,245.00	\$124.50
4/5/2021	HRW	BL	Review amended scheduling order for Dondero demand note proceeding (0.5).	0.50	\$695.00	\$347.50
4/6/2021	IDK	BL	E-mails with G Demo re Dondero withdrawal of reference motion and our prior research on jurisdiction issues re same	0.30	\$1,325.00	\$397.50
4/7/2021	JAM	BL	Review Dondero's amended answer in notes	1.70	\$1,245.00	\$2,116.50
4/7/2021	HRW	BL	Draft discovery demands for Dondero demand note	0.90	\$695.00	\$625.50
4/8/2021	HRW	BL	Review demand note adversary proceeding complaints (0.3).	0.30	\$695.00	\$208.50
4/9/2021	IDK	BL	E-mails with G Demo, others on Plan provisions re note collection/litigation issues	0.30	\$1,325.00	\$397.50
4/9/2021	JMF	BL	Review notes receivable litigation and amounts due from noteholders re plan implementation (2.1)	2.10	\$1,050.00	\$2,205.00
4/9/2021	JAM	BL	Review of rules re: withdrawal of the reference (0.4); telephone conference with Z. Annable re: rules for withdrawal of the reference (0.1);	0.50	\$1,245.00	\$622.50
4/9/2021	GVD	BL	Review issues re notes litigation	0.60	\$950.00	\$570.00
4/12/2021	GVD	BL	Review issues re repayment of notes	0.60	\$950.00	\$570.00
4/13/2021	JMF	BL	Review motion and brief for withdrawal of references re demand notes.	0.50	\$1,050.00	\$525.00
4/13/2021	JAM	BL	Review Answers to complaints filed by Advisors in	0.60	\$1,245.00	\$747.00
4/14/2021	JNP	BL	Email to D. Rukavina regarding scheduling for motion to withdraw reference.	0.10	\$1,295.00	\$129.50
4/14/2021	JNP	BL	Email to and from D. Rukavina regarding hearing on motion to withdraw reference.	0.10	\$1,295.00	\$129.50
4/14/2021	JNP	BL	Conference with John A. Morris regarding hearing on motion to withdraw reference.	0.10	\$1,295.00	\$129.50
4/14/2021	JNP	BL	Review motion to withdraw reference.	0.20	\$1,295.00	\$259.00
4/14/2021	JAM	BL	e-mails with D. Rukavina, J. Pomerantz re: scheduling issues concerning adversary proceeding against Advisors and Funds (0.5); e-mail to Court, D. Rukavina, L. Hogewood, J. Pomerantz re: scheduling issues concerning adversary proceeding against Advisors and Funds (0.3;)	0.80	\$1,245.00	\$996.00
4/14/2021	GVD	BL	Correspondence re note and discovery request	0.10	\$950.00	\$95.00
4/14/2021	HRW	BL	Draft Rule 26 disclosures for Dondero demand note adversary proceeding (2.0).	2.00	\$695.00	\$1,390.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
4/15/2021	IDK	BL	Review and consider G Demo's memo on	0.40	\$1,325.00	\$530.00
4/15/2021	HRW	BL	Prepare Rule 26 disclosures for Dondero demand note adversary proceeding (0.6).	0.60	\$695.00	\$417.00
4/16/2021	IDK	BL	E-mail and telephone conference with J Pomerantz re Dondero withdrawal of reference motions and logistics on response to same and J Kim (.2); E-mail and telephone conference with G Demo re same and relevant pleadings (.2); E-mails with J Kim re need for responses to Dondero withdrawal of reference motions (.2).	0.60	\$1,325.00	\$795.00
4/16/2021	JJK	BL	Research re: reference withdrawal, core matter, Stern, related issues.	3.70	\$995.00	\$3,681.50
4/16/2021	JNP	BL	Conference with Ira D. Kharasch regarding motion	0.20	\$1,295.00	\$259.00
4/16/2021	JNP	BL	Review Dondero motion to stay pending withdrawal	0.20	\$1,295.00	\$259.00
4/16/2021	GVD	BL	Review Dondero motion re withdrawal of the reference	0.20	\$950.00	\$190.00
4/16/2021	GVD	BL	Conference with I. Kharasch re motions to withdraw	0.20	\$950.00	\$190.00
4/16/2021	HRW	BL	Review Dondero withdrawal of reference filed in demand note adversary proceeding (0.5).	0.50	\$695.00	\$347.50
4/16/2021	HRW	BL	Review Dondero's motion to stay demand note	0.30	\$695.00	\$208.50
4/18/2021	JAM	BL	Review Dondero motion to expedite stay motion (0.3); e-mail to J. Pomerantz, I. Kharasch, G. Demo,	3.40	\$1,245.00	\$4,233.00
4/17/2021	HRW	BL	Draft demand note discovery requests (2.5).	2.50	\$695.00	\$1,737.50
4/18/2021	JNP	BL	Review and comment on opposition to motion for stay of discovery and emails regarding same.	0.20	\$1,295.00	\$259.00
4/18/2021	JAM	BL	Review and revise initial draft objection to Dondero's motion to expedite motion for stay (2.9); e-mail to J. Pomerantz, I. Kharasch, G. Demo, H. Winograd re: initial draft objection to Dondero's motion to expedite motion for stay (0.1); draft JAM declaration in support of objection to Dondero's motion to expedite motion for stay (0.5); e-mail to Z. Annable, G. Demo, H. Winograd re: declaration and objection concerning Dondero's motion to expedite (0.1).	3.60	\$1,245.00	\$4,482.00
4/18/2021	GVD	BL	Review objection to motion to expedite	0.30	\$950.00	\$285.00
4/18/2021	HRW	BL	Draft demand note discovery requests (3.5).	3.50	\$695.00	\$2,432.50
4/19/2021	JJK	BL	Research/analysis reference withdrawal, core	7.80	\$995.00	\$7,761.00
4/19/2021	JAM	BL	Review/revise objection to Dondero motion to	2.00	\$1,245.00	\$2,490.00
4/19/2021	HRW	BL	Draft discovery demands for HCMFA demand note proceeding (1.2).	1.20	\$695.00	\$834.00
4/20/2021	JJK	BL	Research/analysis of Stern, jurisdiction, reference, related issues.	3.10	\$995.00	\$3,084.50
4/20/2021	JJK	BL	Analysis/research jurisdiction, Stern, reference issues.	4.30	\$995.00	\$4,278.50
4/20/2021	JJK	BL	Research Stern, jurisdiction, reference, related issues.	3.10	\$995.00	\$3,084.50
4/20/2021	JNP	BL	Conference with John A. Morris regarding funds/ advisor adversary proceeding and related.	0.20	\$1,295.00	\$259.00
4/21/2021	JJK	BL	Research and prepare objection to NexPoint	2.10	\$995.00	\$2,089.50
4/21/2021	JJK	BL	Research and prepare objection to	5.40	\$995.00	\$5,373.00
4/21/2021	JJK	BL	Research/draft objection to HCMFA reference	3.00	\$995.00	\$2,985.00
4/21/2021	JNP	BL	Research regarding withdrawal reference and	0.40	\$1,295.00	\$518.00
4/22/2021	JJK	BL	Research re reference withdrawal issues.	0.80	\$995.00	\$796.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
4/22/2021	JNP	BL	Review of memo regarding withdrawal of the reference.	0.20	\$1,295.00	\$259.00
4/22/2021	LAF	BL	Legal research re: "Tax loan" & withdrawal of reference.	0.50	\$475.00	\$237.50
4/22/2021	JAM	BL	Review Dondero discovery requests (0.2); review	0.50	\$1,245.00	\$622.50
4/22/2021	GVD	BL	Review Dondero discovery requests	0.20	\$950.00	\$190.00
4/23/2021	LAF	BL	Citecheck & edit memos on withdrawal of reference.	5.80	\$475.00	\$2,755.00
4/25/2021	JAM	BL	E-mails to L. Drawhorn, J. Seery, J. Pomerantz re: HCRE's proposed amended of notes complaint (0.1).	0.10	\$1,245.00	\$124.50
4/26/2021	IDK	BL	E-mails with J Pomerantz re status on oppositions to motions to withdraw reference, (.2).	0.20	\$1,325.00	\$265.00
4/26/2021	JJK	BL	Prepare objections to reference withdrawal motions of Dondero, NexPoint, HCMFA (separate adversary proceedings).	4.60	\$995.00	\$4,577.00
4/26/2021	JNP	BL	Conference with PSZJ team regarding pending	0.80	\$1,295.00	\$1,036.00
4/26/2021	JNP	BL	Review memo regarding withdrawal of reference	0.10	\$1,295.00	\$129.50
4/26/2021	JNP	BL	Review emails regarding Dondero discovery in	0.10	\$1,295.00	\$129.50
4/26/2021	JAM	BL	Review Dondero's third set of discovery requests	0.60	\$1,245.00	\$747.00
4/26/2021	HRW	BL	Call with G. Demo, J. Morris, B. Sharp, and meta e-discovery reps regarding responding to various discovery requests in adversary proceedings.	0.20	\$695.00	\$139.00
4/26/2021	HRW	BL	Review discovery demands in Notes Litigation.	1.00	\$695.00	\$695.00
4/26/2021	HRW	BL	Research summary judgement standard for notes litigation.	2.20	\$695.00	\$1,529.00
4/27/2021	JJK	BL	Review docs and prepare objections to reference withdrawal motions of Dondero, NexPoint, HCMFA (separate adv. proceedings).	9.10	\$995.00	\$9,054.50
4/27/2021	JAM	BL	Review rules and documents and send e-mail to H. Winograd, J. Pomerantz, I. Kharasch, G Demo re: potential motion for summary judgment (Dondero, notes litigation) (0.5).	0.50	\$1,245.00	\$622.50
4/28/2021	JJK	BL	Research and further revisions to objection to Dondero reference motion.	4.20	\$995.00	\$4,179.00
4/28/2021	JJK	BL	Research/analysis re: Dondero claims and reference	4.00	\$995.00	\$3,980.00
4/28/2021	JJK	BL	Work on withdrawal of reference response	2.50	\$995.00	\$2,487.50
4/28/2021	JNP	BL	Review email from M. Clemente regarding pending	0.10	\$1,295.00	\$129.50
4/28/2021	RJF	BL	Review motion to amend, original complaint, related	1.30	\$1,395.00	\$1,813.50
4/28/2021	JMF	BL	Review HCMFA answer.	0.30	\$1,050.00	\$315.00
4/28/2021	GVD	BL	Review response to motion to withdrawal the	0.50	\$950.00	\$475.00
4/28/2021	HRW	BL	Review Dondero's responses to discovery requests in	0.10	\$695.00	\$69.50
4/28/2021	HRW	BL	Draft Responses and Objections for NPA discovery	0.30	\$695.00	\$208.50
4/29/2021	JAM	BL	Telephone conference with H. Winograd re: responses to Advisors' discovery requests in notes litigation (0.6).	0.60	\$1,245.00	\$747.00
4/29/2021	GVD	BL	Conference with DSI/HCMLP/H. Winograd re discovery	0.30	\$950.00	\$285.00
4/29/2021	GVD	BL	Conference with H. Winograd re discovery issues	0.40	\$950.00	\$380.00
4/29/2021	GVD	BL	Conference with J. Seery re notes enforcement issues	0.20	\$950.00	\$190.00
4/29/2021	HRW	BL	Call with G. Demo regarding NPA discovery requests in notes litigation.	0.40	\$695.00	\$278.00
4/29/2021	HRW	BL	Call with G. Demo, K. Hendrix, D. Klos, J. Donahue regarding NPA discovery requests in notes litigation.	0.30	\$695.00	\$208.50
4/29/2021	HRW	BL	Draft responses & objections to NPA's discovery requests in notes litigation.	8.00	\$695.00	\$5,560.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
4/29/2021	HRW	BL	Call with J. Morris regarding NPA discovery in notes litigation.	0.60	\$695.00	\$417.00
4/30/2021	IDK	BL	E-mails with J Kim re opposition to Advisors' and others motions to withdraw the reference (.6); Review of revised oppositions to same (.2).	0.80	\$1,325.00	\$1,060.00
4/30/2021	JJK	BL	Additional research for objections to withdrawal reference motions of NexPoint, HCMFA, Dondero, and revise same objections.	3.60	\$995.00	\$3,582.00
4/30/2021	JJK	BL	Revise objections to reference withdrawal motions and emails Kharasch on same.	2.10	\$995.00	\$2,089.50
4/30/2021	JMF	BL	Review motion to stay adversary proceedings.	0.40	\$1,050.00	\$420.00
4/30/2021	HRW	BL	Draft responses and objections to NPA's discovery requests in notes litigation.	3.50	\$695.00	\$2,432.50
4/30/2021	HRW	BL	Call with J. Morris regarding NPA discovery	0.10	\$695.00	\$69.50
4/30/2021	HRW	BL	Call with D. Klos regarding NPA discovery requests	0.60	\$695.00	\$417.00
				TOTAL		\$125,307.50

EXHIBIT 7

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
5/1/2021	GVD	BL	Further revise motion to enforce the reference	4.30	\$950.00	\$4,085.00
5/2/2021	IDK	BL	Review of J Pomerantz comments to draft	0.30	\$1,325.00	\$397.50
5/2/2021	JJK	BL	Analysis withdrawal issues; revise	4.30	\$995.00	\$4,278.50
5/2/2021	GVD	BL	Further revise and circulate motion to enforce the	4.80	\$950.00	\$4,560.00
5/2/2021	GVD	BL	Correspondence re extension of answer date	0.20	\$950.00	\$190.00
5/3/2021	IDK	BL	E-mails with J Kim re his latest revised opposition to	1.40	\$1,325.00	\$1,855.00
5/3/2021	JJK	BL	Emails Pomerantz, Demo re: opp to NexPoint/HCMFA withdrawal reference motions; research/analysis/revisions to same.	2.40	\$995.00	\$2,388.00
5/3/2021	JJK	BL	Prepare opp to HCMFA withdrawal reference motion and analysis for same.	2.70	\$995.00	\$2,686.50
5/3/2021	JJK	BL	Analysis/revise oppositions to NexPoint and HCMFA reference motions.	3.70	\$995.00	\$3,681.50
5/3/2021	JJK	BL	Research/analysis re: reference withdrawal matters.	1.00	\$995.00	\$995.00
5/3/2021	JNP	BL	Brief review of motion to enforce reference.	1.00	\$1,295.00	\$1,295.00
5/3/2021	JNP	BL	Conference with Robert J. Feinstein regarding motion to enforce reference and related litigation matters.	0.30	\$1,295.00	\$388.50
5/3/2021	JNP	BL	Conference with Robert J. Feinstein and Gregory V. Demo regarding motion to enforce reference.	0.20	\$1,295.00	\$259.00
5/3/2021	JNP	BL	Review revised motion to withdraw reference response.	0.30	\$1,295.00	\$388.50
5/3/2021	JNP	BL	Conference with Jonathan J. Kim, Ira D. Kharasch and Gregory V. Demo regarding motion to withdraw	0.60	\$1,295.00	\$777.00
5/3/2021	GVD	BL	Revise and serve demand letter re Dugaboy note	0.30	\$950.00	\$285.00
5/3/2021	GVD	BL	Revise and serve demand letter re Hunter Mountain	0.30	\$950.00	\$285.00
5/3/2021	GVD	BL	Conference with PSZJ team re response to	0.40	\$950.00	\$380.00
5/3/2021	GVD	BL	Review and revise response to motion to enforce the	1.20	\$950.00	\$1,140.00
5/3/2021	GVD	BL	Follow up conference with PSZJ re opposition to	0.30	\$950.00	\$285.00
5/3/2021	GVD	BL	Conference with J. Morris re status of notes	0.20	\$950.00	\$190.00
5/4/2021	IDK	BL	Review of J Kim's next version of opposition to	1.00	\$1,325.00	\$1,325.00
5/4/2021	JJK	BL	Emails Demo, Morris, Pomerantz on withdrawal reference pleadings issues; research/revise	2.20	\$995.00	\$2,189.00
5/4/2021	JJK	BL	Emails Demo on withdrawal reference pleadings	3.90	\$995.00	\$3,880.50
5/4/2021	JNP	BL	Review and comment on latest version on motion to	0.20	\$1,295.00	\$259.00
5/4/2021	RJF	BL	Review and revise motion to enforce the reference.	1.30	\$1,395.00	\$1,813.50
5/4/2021	JAM	BL	Review draft opposition to withdraw the reference	0.40	\$1,245.00	\$498.00
5/4/2021	HRW	BL	Call with DSI regarding NPA document production for demand note proceeding.	0.50	\$695.00	\$347.50
5/4/2021	HRW	BL	Call with R. Half and J. Morris regarding NPA document production in demand note litigation.	0.20	\$695.00	\$139.00
5/4/2021	HRW	BL	Prepare for call with R. Half and J. Morris regarding NPA document production in demand note litigation.	1.20	\$695.00	\$834.00
5/4/2021	HRW	BL	Review J. Seery comments to NPA R&O's in	0.30	\$695.00	\$208.50
5/5/2021	JJK	BL	Research/finalize objection to Dondero motion to withdraw reference.	3.70	\$995.00	\$3,681.50
5/5/2021	JAM	BL	E-mails with B. Assink re: Dondero document production (notes litigation (0.2); review Dondero document production (0.1).	0.30	\$1,245.00	\$373.50

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
5/5/2021	HRW	BL	Prepare interrogatory verification for R&Os to NPA	0.50	\$695.00	\$347.50
5/6/2021	IDK	BL	Review of updated opposition to Dondero motion to	0.80	\$1,325.00	\$1,060.00
5/6/2021	IDK	BL	E-mails with J Kim re mistake made in filed	0.40	\$1,325.00	\$530.00
5/6/2021	JJK	BL	Emails Kharasch on withdrawal reference	4.20	\$995.00	\$4,179.00
5/6/2021	HRW	BL	Communicate with R. Half re: NPA production in demand note proceeding (0.9); Call with L. Canty re: NPA production in notes litigation (0.1); Review critical dates re: Dondero stay motion and motion to withdraw reference in notes litigation (0.2); Prepare search terms for NPA production in notes litigation (0.3).	1.50	\$695.00	\$1,042.50
5/7/2021	IDK	BL	Review of draft addendum to prior filed opposition to Dondero motion to withdraw ref and consider changes (.2); E-mails with J Kim and J Pomerantz re same, as well as feedback of local counsel (.3).	0.50	\$1,325.00	\$662.50
5/7/2021	JJK	BL	Two conf. calls (2x 0.3) with Pomerantz, Kharasch, Demo on reference withdrawal oppositions.	0.60	\$995.00	\$597.00
5/7/2021	JNP	BL	Review further filing regarding opposition to motion	0.10	\$1,295.00	\$129.50
5/7/2021	HRW	BL	Review discovery requests in notes litigation (2.0);	2.30	\$695.00	\$1,598.50
5/8/2021	RJF	BL	Review and revise motion to enforce.	0.80	\$1,395.00	\$1,116.00
5/8/2021	JAM	BL	Review/revise document requests, interrogatories,	1.30	\$1,245.00	\$1,618.50
5/8/2021	HRW	BL	Draft discovery demands for notes litigation (3.5);	4.70	\$695.00	\$3,266.50
5/9/2021	HRW	BL	Review discovery requests to Debtor in notes	3.50	\$695.00	\$2,432.50
5/10/2021	RJF	BL	Begin work on motion to dismiss.	1.00	\$1,395.00	\$1,395.00
5/10/2021	JAM	BL	E-mail to J. Rudd, L. Drawhorn re: discovery in	0.40	\$1,245.00	\$498.00
5/10/2021	HRW	BL	Draft and review discovery search criteria for NPA	5.00	\$695.00	\$3,475.00
5/11/2021	JAM	BL	E-mails with B. Assink re: discovery on Dondero	1.10	\$1,245.00	\$1,369.50
5/11/2021	LSC	BL	Assist with preparation of responses and objections	0.60	\$460.00	\$276.00
5/11/2021	GVD	BL	Conference with counsel to Hunter Mountain re note	0.30	\$950.00	\$285.00
5/11/2021	HRW	BL	Draft search terms for document production for NPA	1.90	\$695.00	\$1,320.50
5/12/2021	HRW	BL	Gather documents responsive to NPA discovery	0.40	\$695.00	\$278.00
5/13/2021	HRW	BL	Draft responses and objections to Dondero discovery in demand note litigation (2.0).	2.00	\$695.00	\$1,390.00
5/14/2021	JAM	BL	Meet and confer call with M Aigen re: Rule 30(b)(6) topics and depositions (0.3); e-mails with M. Aigen, Bonds Ellis, J. Pomerantz re: discovery (0.2); review/revise draft responses and objections to Dondero's discovery requests (notes litigation) (1.1).	1.60	\$1,245.00	\$1,992.00
5/14/2021	HRW	BL	Draft responses and objections to Dondero discovery	2.50	\$695.00	\$1,737.50
5/16/2021	JAM	BL	Draft objection to Dondero's motion to compel (4.2); e-mails with H. Winograd re: draft objection to Dondero's motion to compel (0.1).	4.30	\$1,245.00	\$5,353.50
5/17/2021	JAM	BL	Review/revise objection to Dondero motion to compel (2.0); e-mails with J. Pomerantz, G. Demo, H. Winograd, Z. Annable re: draft objection to Dondero motion to compel (0.2); draft JAM declaration in support of Debtor's objection to Dondero motion to compel (0.7); e-mails with G. Demo, H. Winograd, L. Canty, Z. Annable re: exhibits to JAM declaration (0.2).	3.10	\$1,245.00	\$3,859.50
5/17/2021	LSC	BL	Conduct research in connection with motion to withdraw the reference for G. Demo.	0.60	\$460.00	\$276.00
5/17/2021	LSC	BL	Assist with preparation of exhibits in connection with Debtor's Objection to Motion to Compel Deposition Testimony of James P. Seery, Jr.	0.40	\$460.00	\$184.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
5/17/2021	GVD	BL	Review response to motion to compel	0.30	\$950.00	\$285.00
5/17/2021	GVD	BL	Review correspondence re Reid Collins engagement	0.20	\$950.00	\$190.00
5/17/2021	GVD	BL	Prepare for argument on motions to withdraw the reference	0.80	\$950.00	\$760.00
5/17/2021	HRW	BL	Oversee discovery searches and production for NPA notes litigation (0.3); Review opposition to Dondero motion to compel in notes litigation (0.2).	0.50	\$695.00	\$347.50
5/18/2021	JNP	BL	Review motion to withdraw the reference in	0.40	\$1,295.00	\$518.00
5/18/2021	JNP	BL	Review reply regarding motion to withdraw	0.10	\$1,295.00	\$129.50
5/18/2021	JMF	BL	Review response re discovery motion to compel testimony re demand notes.	0.30	\$1,050.00	\$315.00
5/18/2021	GVD	BL	Prepare for argument re motion to withdraw the	4.90	\$950.00	\$4,655.00
5/18/2021	HRW	BL	Gather general discovery in notes litigations (0.5);	1.20	\$695.00	\$834.00
5/19/2021	IDK	BL	Attend conference call with J Pomerantz, others on	1.20	\$1,325.00	\$1,590.00
5/19/2021	JNP	BL	Participate on zoom hearing prep for motions to withdraw the reference with Gregory V. Demo, John	1.20	\$1,295.00	\$1,554.00
5/19/2021	JAM	BL	Review documents and e-mails to H. Winograd, L.	1.30	\$1,245.00	\$1,618.50
5/19/2021	LSC	BL	Review documents and prepare supplemental	12.90	\$460.00	\$5,934.00
5/19/2021	GVD	BL	Attend conference with PSZJ working team re	1.20	\$950.00	\$1,140.00
5/19/2021	GVD	BL	Prepare for argument on motion to withdraw the	3.10	\$950.00	\$2,945.00
5/19/2021	HRW	BL	Send amended discovery R&Os to opposing counsel	0.50	\$695.00	\$347.50
5/19/2021	HRW	BL	Prepare and review document production to	2.20	\$695.00	\$1,529.00
5/20/2021	JNP	BL	Participate in hearing on motion to compel J. Seery testimony.	1.10	\$1,295.00	\$1,424.50
5/20/2021	JNP	BL	Emails to and from J. Seery and Gregory V. Demo regarding Latham communications with DSI.	0.10	\$1,295.00	\$129.50
5/20/2021	JNP	BL	Emails to and from John A. Morris regarding U. S. Trustee inquiry.	0.10	\$1,295.00	\$129.50
5/20/2021	JAM	BL	Preparing for hearing on Dondero's motion to compel (0.3); court conference on Dondero's motion to compel (1.1).	1.40	\$1,245.00	\$1,743.00
5/20/2021	GVD	BL	Attend hearing re motion to compel	1.10	\$950.00	\$1,045.00
5/20/2021	JE	BL	Work on reply brief (11.0); review motion to amend	13.10	\$1,195.00	\$15,654.50
5/21/2021	JMF	BL	Review replies re contempt and reference	0.40	\$1,050.00	\$420.00
5/21/2021	JAM	BL	Finalize responses and objections to Dondero's	0.20	\$1,245.00	\$249.00
5/21/2021	GVD	BL	Prepare witness and exhibit list re notes litigation	0.60	\$950.00	\$570.00
5/22/2021	JNP	BL	Review motion to compel testimony of former	0.20	\$1,295.00	\$259.00
5/22/2021	GVD	BL	Conference with J. Morris, J. Seery, and HCMLP	1.10	\$950.00	\$1,045.00
5/22/2021	GVD	BL	Review motions for leave to amend	0.20	\$950.00	\$190.00
5/22/2021	HRW	BL	Review HCMFA motion to amend answer (0.5).	0.50	\$695.00	\$347.50
5/23/2021	JNP	BL	Emails to and from D. Rukavina regarding Sauter	0.20	\$1,295.00	\$259.00
5/23/2021	JAM	BL	Prepare Subpoena for DC Sauter (notes litigation)	4.70	\$1,245.00	\$5,851.50
5/23/2021	LSC	BL	Preparation of amended exhibit lists (3) and exhibits	5.60	\$460.00	\$2,576.00
5/23/2021	GVD	BL	Conference with J. Morris re motion to withdraw	0.10	\$950.00	\$95.00
5/23/2021	GVD	BL	Conference with J. Seery and J. Morris re depo prep	1.20	\$950.00	\$1,140.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
5/23/2021	GVD	BL	Conference with J. Morris re evidentiary issues for	1.10	\$950.00	\$1,045.00
5/23/2021	GVD	BL	Prepare for hearing on motion to withdraw the	2.90	\$950.00	\$2,755.00
5/24/2021	IDK	BL	Attend conference call re notes collection issues (.3).	0.30	\$1,325.00	\$397.50
5/24/2021	JNP	BL	Review and comment on Gregory V. Demo outline	0.50	\$1,295.00	\$647.50
5/24/2021	JNP	BL	Conference with Gregory V. Demo, Ira D. Kharasch	0.60	\$1,295.00	\$777.00
5/24/2021	JNP	BL	Conference with PSZJ team regarding update on notes litigation.	0.30	\$1,295.00	\$388.50
5/24/2021	JNP	BL	Conference with John A. Morris regarding proposal	0.10	\$1,295.00	\$129.50
5/24/2021	RJF	BL	Internal call regarding notes litigation.	0.30	\$1,395.00	\$418.50
5/24/2021	JMF	BL	Review litigation summary (.3); status call re same	0.60	\$1,050.00	\$630.00
5/24/2021	JMF	BL	Status call re issues in notes payable litigation.	0.30	\$1,050.00	\$315.00
5/24/2021	JMF	BL	Review motion to amend answer re notes litigation.	0.30	\$1,050.00	\$315.00
5/24/2021	JAM	BL	Tel c. w/ J. Dubel re: motions to amend and	7.00	\$1,245.00	\$8,715.00
5/24/2021	GVD	BL	Prepare for hearing on motion to withdraw the reference	5.80	\$950.00	\$5,510.00
5/24/2021	GVD	BL	Attend deposition of J. Seery re Dondero note litigation	2.60	\$950.00	\$2,470.00
5/24/2021	GVD	BL	Conference with J. Seery and J. Morris re follow up to Seery deposition	0.30	\$950.00	\$285.00
5/24/2021	GVD	BL	Conference with PSZJ re status of note litigation and motion to withdraw the reference	0.60	\$950.00	\$570.00
5/24/2021	GVD	BL	Attend PSZJ status conference on notes litigation	0.30	\$950.00	\$285.00
5/25/2021	JNP	BL	Participate on hearing regarding motions to	2.80	\$1,295.00	\$3,626.00
5/25/2021	JNP	BL	Conference with J. Seery and John A. Morris after	0.40	\$1,295.00	\$518.00
5/25/2021	JNP	BL	Emails regarding answer date and response.	0.10	\$1,295.00	\$129.50
5/25/2021	JAM	BL	Prepare Notice of Service of Subpoena (NexBank)	1.00	\$1,245.00	\$1,245.00
5/25/2021	JAM	BL	Tel c. w/ G. Demo re: withdrawal of the reference	4.80	\$1,245.00	\$5,976.00
5/25/2021	LSC	BL	Prepare for and assist at hearing on motions to stay	2.30	\$460.00	\$1,058.00
5/25/2021	LSC	BL	Preparation of supplemental production to Dondero.	2.00	\$460.00	\$920.00
5/25/2021	GVD	BL	Prepare for evidentiary hearing on motion to withdraw reference	3.80	\$950.00	\$3,610.00
5/25/2021	GVD	BL	Attend hearing on motions to withdraw the reference	2.10	\$950.00	\$1,995.00
5/25/2021	GVD	BL	Conference with team re follow up to hearing on motion to withdraw the reference	0.50	\$950.00	\$475.00
5/25/2021	GVD	BL	Conference with J. Morris on evidentiary hearing on motion to withdraw	0.30	\$950.00	\$285.00
5/25/2021	GVD	BL	Conference with J. Romey re status of note litigation	0.20	\$950.00	\$190.00
5/26/2021	JAM	BL	Tel c. w/ D. Rukavina re: discovery concerning	7.20	\$1,245.00	\$8,964.00
5/26/2021	LSC	BL	Preparation of exhibits and materials in connection	3.20	\$460.00	\$1,472.00
5/26/2021	HRW	BL	Review production for NPA discovery requests in notes litigation (0.3)	0.30	\$695.00	\$208.50
5/27/2021	JNP	BL	Conference with John A. Morris regarding Dondero amended answer and discovery issues.	0.20	\$1,295.00	\$259.00
5/27/2021	JAM	BL	Review/revise written responses to Advisor's	2.70	\$1,245.00	\$3,361.50
5/28/2021	JNP	BL	Conference with John A. Morris regarding Dondero	0.10	\$1,295.00	\$129.50
5/28/2021	JAM	BL	Prepare for Dondero deposition (3.5); Dondero	8.80	\$1,245.00	\$10,956.00

EXHIBIT 8

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
5/19/2021	CHM	BL	Review Dondero notes litigation document production and cross check for privilege filter; email production links to H. Winograd and J. Morris.	4.50	\$750.00	\$3,375.00
6/1/2021	JAM	BL	Review/revise objection to HCMS motion for leave to amend answer (2.2); e-mail to J. Pomerantz, G.	3.00	\$1,245.00	\$3,735.00
6/1/2021	LSC	BL	Draft declarations in support of oppositions to HCMS and HCRE motions to amend (1.1); assist with revising and finalizing of oppositions to HCMS and HCRE motions to amend (1.3); revise and finalize exhibits (.5).	2.90	\$460.00	\$1,334.00
6/1/2021	GVD	BL	Review and revise motion for leave to amend HCRE and HCMS answers	2.00	\$950.00	\$1,900.00
6/1/2021	HRW	BL	Draft opposition to HCRE and HCMS motions for leave to amend answer in notes litigation (12.5)	12.50	\$695.00	\$8,687.50
6/2/2021	JMF	BL	Review responses to motions for leave to amend answer.	0.40	\$1,050.00	\$420.00
6/2/2021	GVD	BL	Correspondence with J. Morris re HCRE/HCMS motion for leave to withdraw the reference	0.40	\$950.00	\$380.00
6/2/2021	GVD	BL	Draft demand letter re HCMFA notes and serve same	0.60	\$950.00	\$570.00
6/2/2021	HRW	BL	Review documents produced in Dondero notes litigation (0.1)	0.10	\$695.00	\$69.50
6/3/2021	JAM	BL	E-mail to L. Drawhorn, J. Rudd, J. Pomerantz, G. Demo re: motion to withdraw the reference and related matters (0.3); e-mails w/ M. Aigen, Dondero's other counsel, J. Pomerantz, G. Demo, H. Winograd re: scheduling of expert depositions (0.1); prepare notices of deposition for Nancy Dondero and Dondero's expert witnesses and send to Z. Annable, H. Winograd (0.2); review HCRE/HCMS motions (0.3)	0.90	\$1,245.00	\$1,120.50
6/3/2021	LSC	BL	Review documents, redact, and prepare NexPoint document production (and address numerous issues with).	8.20	\$460.00	\$3,772.00
6/3/2021	GVD	BL	Correspondence with J. Donohue re demand letters on notes	0.20	\$950.00	\$190.00
6/3/2021	GVD	BL	Correspondence with J. Morris re HCRE/HCMS motions for leave to amend	0.20	\$950.00	\$190.00
6/3/2021	GVD	BL	Correspondence with J. Morris and H. Winograd re status of notes litigation	0.20	\$950.00	\$190.00
6/3/2021	HRW	BL	Prepare document production for NexPoint discovery in connection with notes litigation (1.0)	1.00	\$695.00	\$695.00
6/3/2021	HRW	BL	Call with L. Canty re: document production for NexPoint discovery in connection with notes litigation (0.2)	0.20	\$695.00	\$139.00
6/3/2021	HRW	BL	Draft responses and objections to document requests in HCMS notes litigation (1.0)	1.00	\$695.00	\$695.00
6/3/2021	HRW	BL	Prepare search terms for document production in HCMS notes litigation (0.5)	0.50	\$695.00	\$347.50
6/4/2021	LSC	BL	Transmit HCRE document production to additional party.	0.20	\$460.00	\$92.00
6/4/2021	HRW	BL	Draft 30(b)(6) deposition notice directed to HCMS and HCRE (0.6)	0.60	\$695.00	\$417.00
6/4/2021	HRW	BL	Send production for NexPoint discovery demands re: notes litigation to opposing counsel (0.1)	0.10	\$695.00	\$69.50
6/6/2021	HRW	BL	Review HCMFA motion to amend (1.0)	1.00	\$695.00	\$695.00
6/7/2021	JAM	BL	Review/revise Rule 30(b)(6) deposition notice for HCRE (0.1); e-mail to H. Winograd re: Rule 30(b)(6) deposition notice for HCRE (0.1); review/revise Rule 30(b)(6) deposition notice for HCMS (0.1); e-mail to H. Winograd re: Rule 30(b)(6) deposition notice for HCMS (0.1).	0.40	\$1,245.00	\$498.00
6/7/2021	HRW	BL	Communications with DSI re: HCMS discovery (0.2)	0.20	\$695.00	\$139.00
6/7/2021	HRW	BL	Draft R&Os to HCMS discovery (2.6)	2.60	\$695.00	\$1,807.00
6/7/2021	HRW	BL	Draft search terms for HCMS document production (1.0)	1.00	\$695.00	\$695.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
6/7/2021	HRW	BL	Edit and review 30(b)(6) deposition notice directed to HCMS and HCRE (0.2)	0.20	\$695.00	\$139.00
6/8/2021	HRW	BL	Communications with DSI re: HCMS discovery (0.3)	0.30	\$695.00	\$208.50
6/8/2021	HRW	BL	Draft R&Os to HCMS discovery (1.5)	1.50	\$695.00	\$1,042.50
6/8/2021	HRW	BL	Draft search terms for HCMS document production (1.0)	1.00	\$695.00	\$695.00
6/9/2021	JNP	BL	Review of motion to amend answer.	0.10	\$1,295.00	\$129.50
6/9/2021	JNP	BL	Review motion to modify answer and emails regarding same.	0.20	\$1,295.00	\$259.00
6/9/2021	JMF	BL	Review motion for leave to amend answer.	0.30	\$1,050.00	\$315.00
6/9/2021	JAM	BL	Review/revise R&Os to HCMS's discovery requests	0.80	\$1,245.00	\$996.00
6/9/2021	LSC	BL	Preparation of document production to HCMS,	5.70	\$460.00	\$2,622.00
6/9/2021	HRW	BL	Draft R&Os for HCMS discovery demands (4.3)	4.30	\$695.00	\$2,988.50
6/9/2021	HRW	BL	Communicate with L. Canty re: HCMS document production (0.7)	0.70	\$695.00	\$486.50
6/9/2021	HRW	BL	Organize and review document production for HCMS (1.3)	1.30	\$695.00	\$903.50
6/9/2021	HRW	BL	Send HCMS productions in response to document	0.20	\$695.00	\$139.00
6/9/2021	HRW	BL	Communicate with client re: R&OS to HCMS discovery and verification (0.2)	0.20	\$695.00	\$139.00
6/10/2021	IDK	BL	Office conference with J Morris re upcoming	0.30	\$1,325.00	\$397.50
6/10/2021	JNP	BL	Participation in hearing on motion to amend answer.	1.50	\$1,295.00	\$1,942.50
6/10/2021	JAM	BL	Prepare for hearing on HCRE and HCMS motion for leave to amend (2.3); court hearing on HCRE and HCMS motion for leave to amend (0.8); telephone	3.30	\$1,245.00	\$4,108.50
6/10/2021	LSC	BL	Research in connection with subpoena and correspondence with H. Winograd regarding the same.	0.90	\$460.00	\$414.00
6/10/2021	LSC	BL	Prepare for and assist at hearing on motion to amend.	3.00	\$460.00	\$1,380.00
6/10/2021	GVD	BL	Attend hearing on motion to amend notes	2.50	\$950.00	\$2,375.00
6/10/2021	HRW	BL	Call with J. Morris re: PwC subpoenas (0.1)	0.10	\$695.00	\$69.50
6/10/2021	HRW	BL	Call with G. Demo re: HCMFA motion to amend (0.1)	0.10	\$695.00	\$69.50
6/10/2021	HRW	BL	Review HCMFA motion to amend (1.2)	1.20	\$695.00	\$834.00
6/10/2021	HRW	BL	Draft opposition to HMCFA motion to amend (0.6)	0.60	\$695.00	\$417.00
6/10/2021	HRW	BL	Draft document and deposition subpoenas for PwC (2.6)	2.60	\$695.00	\$1,807.00
6/10/2021	HRW	BL	Call with L. Canty re: PwC subpoenas (0.1)	0.10	\$695.00	\$69.50
6/10/2021	HRW	BL	Hearing on HCRE/HCMS motion to amend answer (1.0)	1.00	\$695.00	\$695.00
6/11/2021	JNP	BL	Review emails regarding consolidation of notes litigation.	0.10	\$1,295.00	\$129.50
6/11/2021	JNP	BL	Review of response to motion to quash.	0.10	\$1,295.00	\$129.50
6/11/2021	JNP	BL	Conference with J. Seery, Robert J. Feinstein and Gregory V. Demo regarding status of Sentinel matters and next steps.	0.50	\$1,295.00	\$647.50
6/11/2021	GVD	BL	Conference with J. Morris and H. Winograd re status of HCMFA amended answer	0.50	\$950.00	\$475.00
6/11/2021	GVD	BL	Correspondence with D. Rukavina re amendments to notes litigation	0.20	\$950.00	\$190.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
6/11/2021	HRW	BL	Draft subpoenas and ancillary documents for PwC in connection with HCMS notes litigation (1.6)	1.60	\$695.00	\$1,112.00
6/11/2021	HRW	BL	Send PwC subpoena to representative of PwC for HCMS notes litigation (0.2)	0.20	\$695.00	\$139.00
6/11/2021	HRW	BL	Communicate with local counsel and J. Morris re: subpoenas for PwC for HCMS notes litigation (0.6)	0.60	\$695.00	\$417.00
6/11/2021	HRW	BL	Meeting with client for notarization of ROG verification in connection with HCMS R&Os in notes litigation (0.1)	0.10	\$695.00	\$69.50
6/11/2021	HRW	BL	Communications with client and notary for ROG verification in connection with HCMS R&Os in notes litigation (0.1)	0.10	\$695.00	\$69.50
6/11/2021	HRW	BL	Send opposing counsel ROG verification for HCMS R&Os in notes litigation (0.1)	0.10	\$695.00	\$69.50
6/11/2021	HRW	BL	Call with J. Morris and G. Demo re: HCMFA motion to amend answer in notes litigation (0.5)	0.50	\$695.00	\$347.50
6/11/2021	HRW	BL	Draft 30(b)(6) deposition notices for HCMFA and NPA for notes litigations (0.4)	0.40	\$695.00	\$278.00
6/14/2021	JAM	BL	E-mails w/ D. Rukavina re: discovery in the notes litigation against the Advisors (0.3).	0.30	\$1,245.00	\$373.50
6/16/2021	JAM	BL	Draft e-mail to counsel for defendants in notes litigation re: discovery, proposed amendments (0.8).	0.80	\$1,245.00	\$996.00
6/16/2021	JAM	BL	Review/revise e-mail to counsel for defendants in	0.40	\$1,245.00	\$498.00
6/17/2021	HRW	BL	Draft search terms for HCMFA production in notes	1.50	\$695.00	\$1,042.50
6/18/2021	JAM	BL	Review PwC Subpoena from Dondero (0.1); tel c. w/ J. Seery re: PwC subpoena from Dondero (0.1); e-mails w/ M. Aigen, J. Pomerantz re: PwC subpoena and financial statements (0.1).	0.30	\$1,245.00	\$373.50
6/21/2021	JNP	BL	Email to and from Gregory V. Demo regarding concerns with note defendant disposing of assets.	0.10	\$1,295.00	\$129.50
6/21/2021	JAM	BL	Communications w/ M. Aigen, counsel for all defendants, J. Pomerantz, G. Demo, H. Winograd re: discovery and schedule for notes litigations (0.3).	0.30	\$1,245.00	\$373.50
6/21/2021	HRW	BL	Communicate with DSI re: HCMFA discovery in notes litigation (0.2); Review HCMFA motion to amend answer (0.2); Draft search terms for HCMFA discovery in notes litigation (0.3).	0.70	\$695.00	\$486.50
6/22/2021	JAM	BL	Analyze status of notes litigations and prepare	0.70	\$1,245.00	\$871.50
6/23/2021	JAM	BL	Tel c. w/ H. Winograd re: amending the complaint to	0.20	\$1,245.00	\$249.00
6/23/2021	HRW	BL	Communicate with R. Half re: privilege review in	0.30	\$695.00	\$208.50
6/24/2021	JAM	BL	Tel c. w/ counsel to PwC re: subpoena (0.1); tel c. w/ H. Winograd re: amended complaint (0.1).	0.20	\$1,245.00	\$249.00
6/24/2021	HRW	BL	Hearing on HCMFA motion to amend (0.3); Review	8.40	\$695.00	\$5,838.00
6/25/2021	IDK	BL	E-mails with G Demo re issues on Dondero conversion of HCMFA to holding company and impact on note litigation, and related background to same, including memo from Wilmer Hale on same.	0.40	\$1,325.00	\$530.00
6/25/2021	JAM	BL	Tel c. w/ H. Winograd re: amended complaints for notes litigation (0.3).	0.30	\$1,245.00	\$373.50
6/25/2021	GVD	BL	Correspondence with J. Morris and H. Winograd re preparation for amendment to the notes litigation	0.30	\$950.00	\$285.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
6/25/2021	HRW	BL	Draft amended complaint for notes litigation (3.8); Call with J. Morris re: amended complaints for notes litigation (0.2); Research re: additional claims in notes litigation (2.0); Review HCMFA discovery and production (0.2); Send counsel for HCMFA first production (0.1); Review outstanding litigation critical dates (0.4).	6.70	\$695.00	\$4,656.50
6/27/2021	JAM	BL	Review/revise draft Amended Complaint against Dondero (1.2); e-mails w/ H. Winograd, G. Demo re: revised Amended Complaint against Dondero (0.3).	1.50	\$1,245.00	\$1,867.50
6/27/2021	HRW	BL	Draft amended complaint for notes litigation (6.5); Research re: additional claims for amended claim in notes litigation (1.0).	7.50	\$695.00	\$5,212.50
6/28/2021	JNP	BL	Review amended complaint.	0.20	\$1,295.00	\$259.00
6/28/2021	JNP	BL	Conference with John A. Morris regarding amended complaint.	0.20	\$1,295.00	\$259.00
6/28/2021	JNP	BL	Email to and from Ira D. Kharasch and J. Elkin regarding research regarding withdrawal of the	0.20	\$1,295.00	\$259.00
6/28/2021	JAM	BL	Review/revise draft amended complaint against	1.60	\$1,245.00	\$1,992.00
6/28/2021	HRW	BL	Draft amended complaint for notes litigation (1.6);	3.80	\$695.00	\$2,641.00
6/29/2021	JNP	BL	Review opposition to motion to withdraw reference.	0.30	\$1,295.00	\$388.50
6/29/2021	GVD	BL	Correspondence with PSZJ working group re notes litigation	0.20	\$950.00	\$190.00
6/29/2021	GVD	BL	Review amended notes complaint	0.90	\$950.00	\$855.00
6/29/2021	HRW	BL	Research re: amended complaint for notes litigations (1.2); Review amended complaint re: notes litigations (0.5); Draft R&Os for HCRE discovery requests in notes litigation (1.4).	3.10	\$695.00	\$2,154.50
6/30/2021	JAM	BL	E-mails w/ G. Demo, H. Winograd re: potential	1.60	\$1,245.00	\$1,992.00
6/30/2021	GVD	BL	Correspondence with PSZJ team re revisions to	0.20	\$950.00	\$190.00
6/30/2021	HRW	BL	Draft and review R&Os to HCRE discovery in notes litigation (0.7); Draft search terms for HCRE production in notes litigation (1.2); Call with L. Canty re: HCRE production in notes litigation (0.1); Review and gather HCRE production in notes litigation (0.8); Send HCRE production and R&Os to opposing counsel (0.1); Edit amended complaint re: notes litigation (0.6); Research re: fraudulent transfer and fiduciary claims for amended complaint in notes litigation (1.6).	5.10	\$695.00	\$3,544.50
					TOTAL	\$101,276.50

EXHIBIT 9

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
7/1/2021	JAM	BL	Further revisions to draft Amended Complaint (0.4); e-mails w/ G. Demo, H. Winograd, J. Pomerantz re: revisions to draft Amended Complaint (0.2).	0.60	\$1,245.00	\$747.00
7/1/2021	GVD	BL	Review revisions to letter re conflicts of interest	0.40	\$950.00	\$380.00
7/1/2021	GVD	BL	Review amended complaint re notes litigation and correspondence re same	0.30	\$950.00	\$285.00
7/1/2021	HRW	BL	Edit and review amended complaint for notes litigation (0.6); Assist client re: verification for HCRE interrogatories in notes litigation (0.1); Review supplemental production for HCMFA and NPA notes litigations (0.1); Send verification for HCRE interrogatories to opposing counsel in notes litigation (0.1).	0.90	\$695.00	\$625.50
7/2/2021	HRW	BL	Review supplemental production for HCMFA and NPA notes litigations (0.2); Send supplemental production for HCMFA and NPA notes litigations to opposing counsel (0.1).	0.30	\$695.00	\$208.50
7/3/2021	GVD	BL	Correspondence with J. Elkin re fraudulent conveyance actions in notes litigation	0.20	\$950.00	\$190.00
7/3/2021	JE	BL	Review additional transcripts and pleadings on fraudulent transfers; correspondence with Mr. Morris and Mr. Demo.	5.30	\$1,195.00	\$6,333.50
7/4/2021	JE	BL	Prepare memo on implications of amending Note Suit Complaints to add fraudulent transfer cause of action.	10.00	\$1,195.00	\$11,950.00
7/6/2021	JAM	BL	E-mail to M. Aigen, other defense counsel on notes litigation, concerning proposed Amended Complaint and scheduling matters (0.3); review written responses and document production from HCRE in notes litigation (0.3).	0.60	\$1,245.00	\$747.00
7/7/2021	JNP	BL	Review Bankruptcy Court report and	0.10	\$1,295.00	\$129.50
7/7/2021	JMF	BL	Review report and recommendations re notes	0.60	\$1,050.00	\$630.00
7/7/2021	JAM	BL	E-mails w/ D. Rukavina re: proposed amended	0.20	\$1,245.00	\$249.00
7/8/2021	JNP	BL	Participate in hearing on motion to amend and motion to stay notes actions.	0.20	\$1,295.00	\$259.00
7/8/2021	JNP	BL	Conference with J. Dubel regarding hearing on notes litigation.	0.20	\$1,295.00	\$259.00
7/8/2021	JAM	BL	Court hearing on HCRE/HCMS motions to withdraw the reference and related matters (0.8); tel c. w/ J. Pomerantz re: court hearing (0.1).	0.90	\$1,245.00	\$1,120.50
7/8/2021	JE	BL	Review certain documents relating to note suits (.5); call with Mr. Pomerantz, Mr. Morris and Mr. Demo regarding reference issues, preference issues and jury trials (.4).	0.90	\$1,195.00	\$1,075.50
7/8/2021	HRW	BL	Send production to counsel for HCRE (0.1).	0.10	\$695.00	\$69.50
7/9/2021	JAM	BL	Review M. Aigen e-mail re: notes litigation and	0.10	\$1,245.00	\$124.50
7/11/2021	JAM	BL	Work on Amended Complaints in notes litigation (2.2); e-mails w/ D. Rukavina re: NexPoint amended	2.30	\$1,245.00	\$2,863.50
7/12/2021	JAM	BL	Analysis of status of each of the Notes Litigations.	1.20	\$1,245.00	\$1,494.00
7/13/2021	JNP	BL	Conference with John A. Morris regarding notes litigation and defenses.	0.20	\$1,295.00	\$259.00
7/13/2021	JAM	BL	E-mail to D. Rukavina re: NexPoint amended	5.50	\$1,245.00	\$6,847.50
7/15/2021	JNP	BL	Review and execute pro hac vice applications for District Court note litigation.	0.10	\$1,295.00	\$129.50
7/19/2021	JMF	BL	Review report and recommendations re notes	1.10	\$1,050.00	\$1,155.00
7/19/2021	JAM	BL	E-mails w/ D. Rukavina re: NexPoint's amended	0.30	\$1,245.00	\$373.50

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
7/20/2021	JAM	BL	E-mails w/ J. Wander, L. Drawhorn re: PwC subpoena (0.2); e-mails w/ J. Vasek, D. Rukavina, J. Pomerantz re: HCMFA motion for protective order	0.40	\$1,245.00	\$498.00
7/21/2021	JNP	BL	Review brief regarding report and recommendation on withdrawal of reference and emails regarding same.	0.10	\$1,295.00	\$129.50
7/21/2021	JAM	BL	E-mail to J. Vasek, D. Rukavina, J. Pomerantz, H. Wingrad re: motion for protective order (0.3); e-mails w/ M. Aigen re: scheduling stipulation (0.1); e-mails w/ L. Drawhorn, J. Wander re: PwC subpoena (0.2); e-mail to D. Rukavina re: PwC subpoena (0.2).	0.80	\$1,245.00	\$996.00
7/23/2021	IDK	BL	E-mails with local counsel, J. Pomerantz re issues on	0.80	\$1,325.00	\$1,060.00
7/23/2021	JNP	BL	Review and respond to email regarding stipulation to	0.10	\$1,295.00	\$129.50
7/23/2021	JAM	BL	E-mails w/ J. Wander, L. Drawhorn, D. Rukavina re:	1.40	\$1,245.00	\$1,743.00
7/24/2021	IDK	BL	E-mails and telephone conference with J. Pomerantz	0.90	\$1,325.00	\$1,192.50
7/26/2021	IDK	BL	Review and consider J Kim draft motion to strike Dondero objection to report and rec, as well as his summary of caselaw (.5); E-mail J Pomerantz re timing on same (.1); E-mails with attorneys re problems on filing motion to strike same and issues on procedure re District Court for same (.3).	0.90	\$1,325.00	\$1,192.50
7/26/2021	IDK	BL	E-mail local counsel re District Court order adopting R&R of Judge Jurnigan re HCM Services and review of same.	0.20	\$1,325.00	\$265.00
7/26/2021	JNP	BL	Review and respond to email regarding motion to	0.10	\$1,295.00	\$129.50
7/26/2021	RJF	BL	Review draft motion to strike objection to reference	0.40	\$1,395.00	\$558.00
7/26/2021	JAM	BL	Review/analyze HCMLP's audited financials from	2.00	\$1,245.00	\$2,490.00
7/27/2021	IDK	BL	E-mails with J Kim re decision to file response to Dondero objection to R&R vs motion to strike.	0.20	\$1,325.00	\$265.00
7/27/2021	JAM	BL	E-mails w/ J. Seery, L. Canty, M. Aigen re: audited financial statements (0.3).	0.30	\$1,245.00	\$373.50
7/29/2021	JMF	BL	Review notes adversary proceedings district and bankruptcy dockets and draft memorandum re pending issues and status re same.	2.10	\$1,050.00	\$2,205.00
7/29/2021	JAM	BL	Review audited financial statements and prepare for PwC deposition (1.1); e-mails w/ M. Aigen, L. Canty re: PwC financial statements (0.2); e-mails w/ L. Drawhorn, J. Seery re: Wick Phillips proposed withdrawal from notes litigation (0.1).	1.40	\$1,245.00	\$1,743.00
7/29/2021	HRW	BL	Send production to opposing counsel for notes litigation (0.1).	0.10	\$695.00	\$69.50
7/29/2021	HRW	BL	Review objections to R&Rs issued in notes litigations (0.5).	0.50	\$695.00	\$347.50
7/29/2021	HRW	BL	Review and edit chart of District Court proceedings for notes litigations (0.6).	0.60	\$695.00	\$417.00
7/30/2021	JNP	BL	Email to and from Jonathan J. Kim regarding status of reports and recommendations in connection with motion to withdraw reference.	0.20	\$1,295.00	\$259.00
7/30/2021	JAM	BL	E-mail to L. Lambert, M. Clemente, J. Pomerantz re: Advisors' motion for protective order (0.2); prepare for PwC deposition (4.3); PwC deposition (2.0).	6.50	\$1,245.00	\$8,092.50
7/30/2021	HRW	BL	Review pleadings in District Court notes litigations (1.0).	1.00	\$695.00	\$695.00
7/30/2021	HRW	BL	Review deadlines for District Court notes litigations (0.5).	0.50	\$695.00	\$347.50
7/30/2021	HRW	BL	Deposition of Peet Burger for notes litigations (2.0).	2.00	\$695.00	\$1,390.00
TOTAL						\$65,093.00

EXHIBIT 10

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
4/15/2021	JAM	BL	Review/revise Rule 26 disclosures for Dondero notes litigation (0.8); e-mails with H. Winograd, Z. Annable re: Rule 26 disclosures for Dondero notes litigation (0.2); telephone conference with B. Assink re: Dondero's withdrawal of the reference in notes litigation and related matters (0.1); review Dondero motion to withdraw the reference and stay the notes litigation (0.3).	0.50	\$1,245.00	\$622.50
4/23/2021	JAM	BL	telephone conference with B. Sharp re: e-discovery (0.1);	0.10	\$1,245.00	\$124.50
5/25/2021	CHM	BL	Email K. Kim re document production.	0.10	\$750.00	\$75.00
5/25/2021	CHM	BL	Exchange multiple emails with IDS re document	0.40	\$750.00	\$300.00
5/25/2021	CHM	BL	Emails with J. Morris and B. Sharp re document production.	0.30	\$750.00	\$225.00
5/26/2021	CHM	BL	Prepare Nexpoint document production and check document being produced; email H. Winograd re same.	3.20	\$750.00	\$2,400.00
5/26/2021	CHM	BL	Review email from H. Winograd re RFPs and reply.	0.10	\$750.00	\$75.00
5/27/2021	CHM	BL	Review requests for production and documents being produced and search terms run for completeness.	4.00	\$750.00	\$3,000.00
5/27/2021	CHM	BL	Review search terms and exchange emails with H. Winograd and IDS team re new production searches.	1.10	\$750.00	\$825.00
5/28/2021	CHM	BL	Review email from J. Vaughn and reply.	0.10	\$750.00	\$75.00
5/28/2021	CHM	BL	Run document production and review of documents being produced.	1.80	\$750.00	\$1,350.00
6/2/2021	CHM	BL	Review document production issues and coordinate with IDS team re same.	0.30	\$750.00	\$225.00
6/2/2021	CHM	BL	Email H. Winograd re document production issues.	0.10	\$750.00	\$75.00
6/3/2021	CHM	BL	Review RFPs and coordinate searches with IDS team; review document hits re same.	3.20	\$750.00	\$2,400.00
6/7/2021	CHM	BL	Review email from B. Sharp and reply.	0.10	\$750.00	\$75.00
6/7/2021	CHM	BL	Review RFPs and proposed search terms; email IDS team re same and review results.	2.50	\$750.00	\$1,875.00
6/9/2021	CHM	BL	Correspond with G. Crane and H. Winograd re privilege review and begin preparation of privilege assignments.	3.00	\$750.00	\$2,250.00
6/9/2021	CHM	BL	Review documents for responsiveness and run production.	3.70	\$750.00	\$2,775.00
6/9/2021	CHM	BL	Email IDS team re additional searches.	0.20	\$750.00	\$150.00
6/11/2021	CHM	BL	Review documents flagged by G. Crane and reply re same.	0.30	\$750.00	\$225.00
6/11/2021	JAM	BL	Telephone conference with G. Demo, H. Winograd re: HCMFA and NexPoint motions to amend (0.5); telephone conference with J. Seery re: HCMFA and NexPoint motion to amend (0.1); e-mail to D. Rukavina, J. Vasek, J. Pomerantz, G. Demo, H. Winograd re: proposed amended complaints for HCMFA and NexPoint in notes litigation (0.4); e-mail to D. Rukavina, J. Vasek, J. Pomerantz, G. Demo, H. Winograd re: Rule 30(b)(6) notices in notes litigation (0.2); review/revise subpoena for PwC for HCMFA and NexPoint notes litigation (0.3); communications w/ H. Winograd, Z. Annable re: substance of PwC subpoena and issues concerning service (0.3).	1.80	\$1,245.00	\$2,241.00
6/12/2021	CHM	BL	Review email from J. Morris re G. Crane privilege review and reply.	0.10	\$750.00	\$75.00
6/15/2021	CHM	BL	Review email from G. Crane re privilege review and reply.	0.10	\$750.00	\$75.00
6/15/2021	CHM	BL	Create and update privilege review assignments and email G. Crane re same.	1.00	\$750.00	\$750.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
6/15/2021	CHM	BL	Review discovery and deadline tracker and update; coordinate with H. Winograd re next priority.	0.50	\$750.00	\$375.00
6/15/2021	CHM	BL	Emails with G. Crane re parameters of privilege review and RFPs for responsiveness review.	0.20	\$750.00	\$150.00
6/15/2021	CHM	BL	Review G. Crane privilege tagging re HCMS production; email H. Winograd re same.	0.80	\$750.00	\$600.00
6/16/2021	CHM	BL	Emails with J. Morris, G. Demo and IDS team re additional custodian collection.	0.20	\$750.00	\$150.00
6/21/2021	CHM	BL	Review RFP and proposed search terms and coordinate searches with IDS team.	0.50	\$750.00	\$375.00
6/22/2021	CHM	BL	Exchange emails with IDS team re requested searches.	0.10	\$750.00	\$75.00
6/23/2021	CHM	BL	Review email from H. Winograd re HCMFA document searches and reply.	0.10	\$750.00	\$75.00
6/23/2021	CHM	BL	Review RFP and coordinate additional searches with IDS team.	0.50	\$750.00	\$375.00
6/24/2021	CHM	BL	Review email from G. Crane re coding issues; review database and impacted documents.	0.60	\$750.00	\$450.00
6/24/2021	CHM	BL	Draft email to IDS team re pending documents.	0.40	\$750.00	\$300.00
6/24/2021	CHM	BL	Review documents for responsiveness and run production re first portion of HCMFA documents.	3.90	\$750.00	\$2,925.00
6/28/2021	CHM	BL	Review email from G. Crane re review status and reply.	0.10	\$750.00	\$75.00
6/28/2021	CHM	BL	Review documents for responsiveness and run production re 2nd set of HCMFA requests.	3.50	\$750.00	\$2,625.00
7/1/2021	CHM	BL	Review RFPs, run preliminary searches in existing database and email IDS re HCRE search terms.	0.60	\$750.00	\$450.00
7/1/2021	LSC	BL	Prepare supplemental HCMFA production.	0.30	\$460.00	\$138.00
7/1/2021	LSC	BL	Preparation of NPA supplemental production.	0.30	\$460.00	\$138.00
7/2/2021	CHM	BL	Draft email to IDS team re privilege filter issue.	0.30	\$750.00	\$225.00
7/2/2021	CHM	BL	Review prior productions re privilege filter issues.	3.30	\$750.00	\$2,475.00
7/6/2021	LSC	BL	Research and correspondence regarding privileged documents and supplemental document production.	0.90	\$460.00	\$414.00
7/7/2021	LAF	BL	Legal research re: Withdrawal of reference; update chart of rules/general orders in various districts.	3.30	\$475.00	\$1,567.50
7/8/2021	CHM	BL	Review HCRE search results and email IDS re same.	1.80	\$750.00	\$1,350.00
7/8/2021	CHM	BL	Run production re HCRE search results and review same; email link to H. Winograd.	2.00	\$750.00	\$1,500.00
7/8/2021	CHM	BL	Review email from K. Kim re privilege filter and reply.	0.10	\$750.00	\$75.00
7/8/2021	LSC	BL	Retrieve and review HCRE document production.	1.70	\$460.00	\$782.00
7/12/2021	LSC	BL	Circulate responses to Court's order requiring disclosures and correspondence regarding the same.	0.30	\$460.00	\$138.00
7/12/2021	LSC	BL	Review Dondero designation, related documents and correspondence with J. Morris regarding same.	0.50	\$460.00	\$230.00
7/15/2021	JEO	BL	Review court ordered disclosures	1.00	\$1,050.00	\$1,050.00
7/21/2021	LSC	BL	Retrieve PwC document production.	0.60	\$460.00	\$276.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
7/24/2021	JJK	BL	Emails Kharasch on Debtor's motion to strike Dondero objection to R&R.	0.30	\$995.00	\$298.50
7/25/2021	JJK	BL	Research and review pleadings and prepare motion to strike Dondero objection to R&R.	3.40	\$995.00	\$3,383.00
7/25/2021	JJK	BL	Research, review documents, and prepare motion to strike Dondero objection.	5.90	\$995.00	\$5,870.50
7/27/2021	LSC	BL	Redact supplemental document production.	3.20	\$460.00	\$1,472.00
7/28/2021	IDK	BL	E-mails with local counsel and J Pomerantz re new motion for reconsideration filed in District Court to R&R by HCMSI, and next steps re same, and review of same (.5); E-mails with J Kim re same and need to respond to HCMSI pleadings (.2).	0.70	\$1,325.00	\$927.50
7/28/2021	IDK	BL	Review of District Court order adopting R&R of Judge Jurnigan re NexPoint Advisors and its objection to the R&R (.2); E-mails with J Kim re same (.2).	0.40	\$1,325.00	\$530.00
7/28/2021	JJK	BL	Emails Kharasch on multiple replies/objections re: reference withdrawal and consider same.	0.20	\$995.00	\$199.00
7/28/2021	JJK	BL	Research, analysis, pleading review to prepare	5.00	\$995.00	\$4,975.00
7/29/2021	IDK	BL	E-mails with J Kim, others on the status of the 5 objections/motions for reconsideration to bankruptcy court R&R to District Court and issues on our various responses to same (.4); E-mails with H Winograd and J Fried re same and re deadlines to same and updated chart (.2).	0.60	\$1,325.00	\$795.00
7/29/2021	JJK	BL	Research and prepare replies to Dondero, et al. re: bankruptcy court reports.	3.90	\$995.00	\$3,880.50
7/29/2021	JJK	BL	Review pleadings, research, and prepare replies to Dondero, et al., re: bankruptcy court reports.	4.50	\$995.00	\$4,477.50
7/29/2021	JEO	BL	Email follow up on critical dates issue regarding deposition scheduling	0.20	\$1,050.00	\$210.00
7/29/2021	LSC	BL	Preparation of Consolidated Notes Litigation Production.	2.40	\$460.00	\$1,104.00
7/30/2021	CHM	BL	Email correspondence re non-email document collection.	0.50	\$750.00	\$375.00
7/30/2021	CHM	BL	Email IDS team re Surgent screenshot.	0.10	\$750.00	\$75.00
7/30/2021	IDK	BL	E-mails with J Kim, others on status/issues on the 5 Dondero related motions to withdraw the reference and response status/drafts (.4); E-mails with local counsel, H Winograd on updates to timing on filing responses to same (.1).	0.50	\$1,325.00	\$662.50
7/30/2021	JJK	BL	Research and prepare replies/objections to Dondero, et al. re: bankruptcy court reports.	5.70	\$995.00	\$5,671.50
7/30/2021	LSC	BL	Prepare for and assist at deposition of Peet Burger.	3.00	\$460.00	\$1,380.00
7/31/2021	IDK	BL	Review of correspondence to Texas litigation specialists on various questions on motions to withdraw reference and related objections to R&R.	0.20	\$1,325.00	\$265.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
7/31/2021	JJK	BL	Research, prepare replies/objections re: bankruptcy court's reports & recommendations.	5.50	\$995.00	\$5,472.50
8/1/2021	JJK	BL	Research, review documents, and prepare replies to objections to reports/recommendations and opposition to motion to reconsider.	5.20	\$995.00	\$5,174.00
8/1/2021	JJK	BL	Prepare replies to objections to reports/recommendations and motion to reconsider.	3.60	\$995.00	\$3,582.00
8/2/2021	IDK	BL	Review and consider correspondence between H Winograd and local counsel re deadlines to object to pleadings on 5 matters re report and rec to D Court as well as H Winograd of chart on all related actions (.5).	0.50	\$1,325.00	\$662.50
8/2/2021	IDK	BL	E-mails with J Kim re 5 outstanding motions to withdraw reference and objections to report and rec by defendants, and various issues on opponents bias of judge argument (.4); Telephone conference with J Kim re same (.3).	0.70	\$1,325.00	\$927.50
8/2/2021	IDK	BL	E-mails with special Texas litigation counsel on notes litigation and withdrawal of ref and coordination of call re same (.2).	0.20	\$1,325.00	\$265.00
8/2/2021	JJK	BL	Review objections to bankruptcy court reports and prepare additional responses thereto.	1.20	\$995.00	\$1,194.00
8/2/2021	JJK	BL	Calls Kharasch re: replies to objections to reports/recommendations.	0.10	\$995.00	\$99.50
8/2/2021	JJK	BL	Call Kharasch on several replies re: withdrawal of reference.	0.20	\$995.00	\$199.00
8/2/2021	JJK	BL	Revise replies re: objections to withdrawal of reference, etc.	0.20	\$995.00	\$199.00
8/2/2021	JJK	BL	Prepare replies to objections to Reports, etc.	1.20	\$995.00	\$1,194.00
8/3/2021	IDK	BL	Review and consider J Kim's draft of response to Dondero objection in District Court to bankruptcy report and recommendation and need for changes (.3); Numerous E-mails with J Kim re need for extensive revisions to same and his responses and new draft re same (.5); E-mail H Winograd re materials to supplement same response (.1).	0.90	\$1,325.00	\$1,192.50
8/3/2021	JJK	BL	Review objections to reports/recommendations and prepare additional replies thereto for filing.	4.80	\$995.00	\$4,776.00
8/3/2021	JJK	BL	Emails local counsel, Winograd on Debtor replies re: reports and consider issues (0.6); emails Kharasch, Pomerantz on Dondero and HCMFA	2.90	\$995.00	\$2,885.50

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
			replies (0.1); prepare replies re: Reports and related research/analysis (2.2).			
8/3/2021	JNP	BL	Conference with John A. Morris and D. Ashby regarding continued investigation.	0.50	\$1,295.00	\$647.50
8/3/2021	JNP	BL	Conference with Farralon, Holland & Knight, John A. Morris and Gregory V. Demo regarding Dondero discovery action.	0.50	\$1,295.00	\$647.50
8/3/2021	HRW	BL	Research and draft response to HCMFA objection to R&R in notes litigation (1.5)	1.50	\$695.00	\$1,042.50
8/3/2021	HRW	BL	Review notes litigations deadlines (0.6)	0.60	\$695.00	\$417.00
8/4/2021	IDK	BL	Telephone conferences with J Morris and J Pomerantz re result of hearing today as well as need for his comments to draft response to Dondero objection to Report and Recommendation to District Court (.4); Telephone conference with J Pomerantz re timing on filing given feedback of litigation	0.60	\$1,325.00	\$795.00
8/4/2021	IDK	BL	E-mails with J Kim and local counsel re status on our response to Dondero objection to R&R (.3); E-mails with J Morris re his revisions to such response, including quick review of same (.2); E-mails with J Kim re same and status on responding to HCMFA objection to R&R and similar changes for same (.2).	0.70	\$1,325.00	\$927.50
8/4/2021	IDK	BL	Numerous E-mails with Gruber, Texas litigation counsel, on their feedback on communications with D Court and timing for responses to Dondero entities objections to R&R (.4).	0.40	\$1,325.00	\$530.00
8/4/2021	JJK	BL	Continue work on replies for filing to objections to reports/recommendations.	4.70	\$995.00	\$4,676.50
8/4/2021	JJK	BL	Emails Kharasch on Reports replies, related research and review; emails local counsel re: same and certificates of interestedness for various suits.	4.20	\$995.00	\$4,179.00
8/4/2021	JNP	BL	Conference with Ira D. Kharasch regarding response regarding objections to reports and recommendation on withdrawal motions.	0.10	\$1,295.00	\$129.50
8/4/2021	JAM	BL	Review/revise draft response to Dondero objection to Report and Recommendations (1.1); e-mail to I. Kharasch, J. Kim, G. Demo re: revised draft response to Dondero objection to Report and Recommendations (0.1).	1.20	\$1,245.00	\$1,494.00
8/5/2021	IDK	BL	E-mail J Kim re his draft response to HCMFA objection to R&R, including review of same (.3); E-mails with J Morris re same and his changes, along with final response (.3).	0.60	\$1,325.00	\$795.00
8/5/2021	JJK	BL	Emails Morris on HCMFA reply matters.	0.10	\$995.00	\$99.50
8/5/2021	JJK	BL	Continue work on replies and filing thereof to	4.20	\$995.00	\$4,179.00

DATE	TKPR	TASK	DESCRIPTION	HOURS	RATE	AMOUNT
8/5/2021	JJK	BL	objections to reports/recommendations. Emails Morris on HCMFA reply and review comments.	0.10	\$995.00	\$99.50
8/5/2021	JJK	BL	Coordinate finalizing HCMFA reply and filing/service; prepare other replies re: Reports.	3.00	\$995.00	\$2,985.00
8/5/2021	JMF	BL	Review response to opposition to bankruptcy court recommendations to district court.	0.30	\$1,050.00	\$315.00
8/5/2021	JAM	BL	Review/revise objection to HCMFA motion for reconsideration of report and recommendations on notes litigation (0.9); e-mails w/ J. Kim, I. Kharasch re: revisions to objection to HCMFA motion for reconsideration of report and recommendations on notes litigation (0.1).	1.00	\$1,245.00	\$1,245.00
8/5/2021	GVD	BL	Correspondence with working group re status of notes litigation	0.20	\$950.00	\$190.00
8/6/2021	IDK	BL	Review of draft response to HCRE objection in D Court to R&R, along with J Kim commentary on same.	0.40	\$1,325.00	\$530.00
8/6/2021	JAM	BL	Review/revise scheduling stipulation for notes litigation (0.6); e-mail to H. Winograd re: revised scheduling stipulation (0.1); e-mail to M. Aigen re: revised scheduling stipulation (0.1).	0.80	\$1,245.00	\$996.00
8/6/2021	LSC	BL	Assist with preparation of discovery requests, including preparation of exhibits.	1.40	\$460.00	\$644.00
8/9/2021	HRW	BL	Call with J. Morris re: amended complaints re: notes	0.20	\$695.00	\$139.00
8/10/2021	IDK	BL	Review of J Kim's response to motion for reconsideration of R&R by HCRE Partners (.3); E-mails with J Morris re need for his feedback (.1); Review of revised response to HCRE objection (.2); E-mails with J Kim and Local counsel re same (.1).	0.70	\$1,325.00	\$927.50
8/10/2021	IDK	BL	Review of HCMS motion for reconsideration to D Court of R&R of bankruptcy court (.3); E-mails with J Kim re same and need for response to same and issues re same (.2).	0.50	\$1,325.00	\$662.50
TOTAL						\$135,289.00