



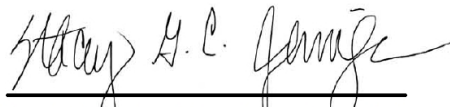
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed March 19, 2023


United States Bankruptcy Judge

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

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

MARC S. KIRSCHNER, AS LITIGATION TRUSTEE
OF THE LITIGATION SUB-TRUST,

Plaintiff,

v.

JAMES D. DONDERO; MARK A. OKADA; SCOTT
ELLINGTON; ISAAC LEVENTON; GRANT JAMES
SCOTT III; STRAND ADVISORS, INC.; NEXPOINT
ADVISORS, L.P.; HIGHLAND CAPITAL
MANAGEMENT FUND ADVISORS, L.P.;
DUGABOY INVESTMENT TRUST AND NANCY
DONDERO, AS TRUSTEE OF DUGABOY
INVESTMENT TRUST; GET GOOD TRUST AND
GRANT JAMES SCOTT III, AS TRUSTEE OF GET
GOOD TRUST; HUNTER MOUNTAIN
INVESTMENT TRUST; MARK & PAMELA OKADA
FAMILY TRUST – EXEMPT TRUST #1 AND

Chapter 11
Case No. 19-34054-sgj11

Adv. Pro. No. 21-03076-sgj

**ORDER APPROVING STIPULATION TO EXTEND PLAINTIFF'S RESPONSE DATE AND DEFENDANT
HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.'S REPLY DATE WITH
RESPECT TO MOTION TO RECUSE**
CORE/3522697.0002/180690976.1



LAWRENCE TONOMURA AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #1; MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #2 AND LAWRENCE TONOMURA IN HIS CAPACITY AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #2; CLO HOLDCO, LTD.; CHARITABLE DAF HOLDCO, LTD.; CHARITABLE DAF FUND, LP.; HIGHLAND DALLAS FOUNDATION; RAND PE FUND I, LP, SERIES 1; MASSAND CAPITAL, LLC; MASSAND CAPITAL, INC.; AND SAS ASSET RECOVERY, LTD.,

Defendants.

ORDER APPROVING STIPULATION TO EXTEND PLAINTIFF'S RESPONSE DATE AND DEFENDANT HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.'S REPLY DATE WITH RESPECT TO MOTION TO RECUSE

Upon consideration of the *Stipulation to Extend Plaintiff's Response Date and Defendant Highland Capital Management Fund Advisors, L.P.'s Reply Date with Respect to Motion to Recuse* [Docket No. 314] (the "Stipulation") by and among Marc S. Kirschner, as Litigation Trustee of the Litigation Sub-Trust (the "Litigation Trustee" or "Plaintiff"), and Defendant Highland Capital Management Fund Advisors, L.P. ("Defendant" and together with the Litigation Trustee, the "Parties"), it is **HEREBY ORDERED THAT:**

- (1) The Response Deadline is extended to **Monday, April 3, 2023 at 5:00 p.m. (Central Time).**
- (2) The Reply Deadline is extended to **Monday, April 17, 2023 at 5:00 p.m. (Central Time).**
- (3) The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of this Stipulation.

###END OF ORDER###

STINSON LLP

By: /s/ Michael P. Aigen
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Michael P. Aigen
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*Attorneys for Defendants Highland Capital
Management Fund Advisors, L.P.*

**ORDER APPROVING STIPULATION TO EXTEND PLAINTIFF'S RESPONSE DATE AND DEFENDANT
HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.'S REPLY DATE WITH
RESPECT TO MOTION TO RECUSE**

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SIDLEY AUSTIN LLP

By: /s/Robert S. Loigman
Paige Holden Montgomery
Juliana L. Hoffman
2021 McKinney Avenue
Suite 2000
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Telephone: (214) 981-3300
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-and-

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

Deborah J. Newman (admitted *pro hac vice*)
Robert S. Loigman (admitted *pro hac vice*)
Calli Ray (admitted *pro hac vice*)
51 Madison Avenue
Floor 22
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Telephone (212) 849-7000

Counsel for the Litigation Trustee

Kirschner,
 Plaintiff
 Dondero,
 Defendant

Adv. Proc. No. 21-03076-sgj

CERTIFICATE OF NOTICE

District/off: 0539-3

User: admin

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Date Rcvd: Mar 21, 2023

Form ID: pdf001

Total Noticed: 12

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 23, 2023:

Recip ID	Recipient Name and Address
aty	+ Aaron M. Lawrence, Quinn Emanuel Urquhart & Sullivan LLP, 51 Madison Ave., Floor 22, New York, NY 10010-1603
aty	+ Amy L. Ruhland, DLA Piper LLP (US), 303 Colorado Street, Ste. 300, Austin, TX 78701-4654
aty	+ Amy L. Ruhland, 303 Colorado Street, Ste. 300, Austin, TX 78701-4653
aty	+ Anna Deknatel, Quinn Emanuel Urquhart & Sullivan LLP, 51 Madison Ave., Floor 22, New York, NY 10010-1603
aty	+ Jason M. Hopkins, DLA Piper LLP (US), 1900 N. Pearl Street., Ste. 2200, Dallas, TX 75201-2482
aty	+ Jeremy A. Root, Stinson LLP, 230 W. McCarty Street, Jefferson City, MO 65101-1553
dft	+ Highland Capital Management Fund Advisors, L.P., K&LGates LLP, c/o Stephen G. Topetzes, 1600 K Street, NW, Washington, DC 20006-2806
dft	+ Hunter Mountain Investment Trust, c/o E. P Keiffer, Rochelle McCullough, LLP, 325 North St. Paul St., Suite 4500, Dallas, TX 75201-3827
dft	+ NexPoint Advisors, L.P., K&L Gates LLP, c/o Stephen G. Topetzes, 1600 K Street, NW, Washington, DC 20006-2806

TOTAL: 9

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustpreion06.da.ecf@usdoj.gov	Mar 21 2023 21:57:00	United States Trustee, 1100 Commerce Street, Room 976, Dallas, TX 75242-0996
ust	+ Email/Text: ustpreion07.au.ecf@usdoj.gov	Mar 21 2023 21:57:00	United States Trustee - AU12, United States Trustee, 903 San Jacinto Blvd, Suite 230, Austin, TX 78701-2450
dft	+ Email/Text: neil.orleans@judithwross.com	Mar 21 2023 21:56:00	CPCM, LLC, c/o Ross & Smith, PC, Attn: Frances A. Smith, 700 N. Pearl Street, Suite 1610, Dallas, TX 75201-7459

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
dft		SAS ASSET RECOVERY, LTD
crc	*+	Hunter Mountain Investment Trust, c/o E. P Keiffer, Rochelle McCullough, LLP, 325 North St. Paul St., Suite 4500, Dallas, TX 75201-3827

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

District/off: 0539-3

User: admin

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Date Rcvd: Mar 21, 2023

Form ID: pdf001

Total Noticed: 12

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 23, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 21, 2023 at the address(es) listed below:

Name	Email Address
Brian D. Glueckstein	on behalf of Defendant MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #1 AND LAWRENCE TONOMURA AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #1 gluecksteinb@sullcrom.com
Brian D. Glueckstein	on behalf of Defendant MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #2 AND LAWRENCE TONOMURA IN HIS CAPACITY AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #2 gluecksteinb@sullcrom.com
Brian D. Glueckstein	on behalf of Defendant Mark Okada gluecksteinb@sullcrom.com
Cameron A. Fine	on behalf of Cross-Claimant Hunter Mountain Investment Trust cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Defendant DUGABOY INVESTMENT TRUST AND NANCY DONDERO AS TRUSTEE OF DUGABOY INVESTMENT TRUST cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Defendant GET GOOD TRUST AND GRANT JAMES SCOTT III AS TRUSTEE OF GET GOOD TRUST cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Defendant James D. Dondero cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Cross-Claimant RAND PE FUND I LP, SERIES 1 cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Defendant STRAND ADVISORS INC cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Defendant RAND PE FUND I LP, SERIES 1 cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Defendant Hunter Mountain Investment Trust cameron.fine@us.dlapiper.com
Cameron A. Fine	on behalf of Cross Defendant DUGABOY INVESTMENT TRUST AND NANCY DONDERO AS TRUSTEE OF DUGABOY INVESTMENT TRUST cameron.fine@us.dlapiper.com
Christopher J. Akin	on behalf of Defendant Isaac Leventon cakin@lynllp.com cbaker@lynllp.com
Christopher J. Akin	on behalf of Defendant Scott Ellington cakin@lynllp.com cbaker@lynllp.com
Cortney C. Thomas	on behalf of Defendant MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #1 AND LAWRENCE TONOMURA AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #1 cort@brownfoxlaw.com korourke@brownfoxlaw.com
Cortney C. Thomas	on behalf of Defendant Mark Okada cort@brownfoxlaw.com korourke@brownfoxlaw.com
Cortney C. Thomas	on behalf of Defendant MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #2 AND LAWRENCE TONOMURA IN HIS CAPACITY AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST EXEMPT TRUST #2 cort@brownfoxlaw.com korourke@brownfoxlaw.com
Deborah Rose Deitsch-Perez	on behalf of Defendant Highland Capital Management Fund Advisors L.P. deborah.deitschperez@stinson.com, patricia.tomasky@stinson.com;kinga.mccoy@stinson.com

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Total Noticed: 12

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patricia.tomasky@stinson.com;kinga.mccoey@stinson.com

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Debra A Dandeneau
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Debra A Dandeneau
on behalf of Defendant Scott Ellington debra.dandeneau@bakermckenzie.com blaire.cahn@bakermckenzie.com

Debra A Dandeneau
on behalf of Defendant Frank Waterhouse debra.dandeneau@bakermckenzie.com blaire.cahn@bakermckenzie.com

Jason Michael Hopkins
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jen.westin@dlapiper.com;jason-hopkins-2248@ecf.pacerpro.com

Jason Michael Hopkins
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INVESTMENT TRUST jason.hopkins@dlapiper.com, jen.westin@dlapiper.com;jason-hopkins-2248@ecf.pacerpro.com

Jason Michael Hopkins
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jen.westin@dlapiper.com;jason-hopkins-2248@ecf.pacerpro.com

Jason Michael Hopkins
on behalf of Defendant GET GOOD TRUST AND GRANT JAMES SCOTT III AS TRUSTEE OF GET GOOD TRUST
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Jason Michael Hopkins
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Jason Michael Hopkins
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Kevin Perkins
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Kevin Perkins
on behalf of Defendant MASSAND CAPITAL LLC kperkins@vanacourperkins.com

Louis M. Phillips
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Margaret Michelle Hartmann
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Margaret Michelle Hartmann
on behalf of Defendant CPCM LLC michelle.hartmann@bakermckenzie.com

Margaret Michelle Hartmann
on behalf of Defendant Isaac Leventon michelle.hartmann@bakermckenzie.com

Melissa S. Hayward
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Michael P. Aigen
on behalf of Defendant Highland Capital Management Fund Advisors L.P. michael.aigen@stinson.com

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Zachery Z. Annable

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TOTAL: 45