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August 23, 2023

Lyle W. Cayce  
Clerk of the Court  
United States Court of Appeals  
for the Fifth Circuit  
600 S. Maestri Place  
New Orleans, LA 70130

Re: Case No. 23-10534, *Highland Capital Management Fund Advisors, L.P., n/k/a NexPoint Asset Management, L.P., and NexPoint Advisors, L.P. v. Highland Capital Management, L.P.*; Unopposed Level-1 Request for Extension

Ladies and Gentlemen:

This firm is counsel of record for Appellee in the above-referenced case. In accordance with Rule 31.4 of the *Rules and Internal Operating Procedures for the United States Court of Appeals for the Fifth Circuit* (the “Fifth Circuit Rules and IOPs”), Appellee respectfully requests an extension of time to file its brief under Rule 28(b) of the Federal Rules of Appellate Procedure of **21 days to October 5, 2023**. Appellants’ counsel has indicated to Appellee’s counsel in writing that Appellants do not oppose this requested extension.

Due to the current schedules for numerous other appeals and matters involving Highland Capital Management, L.P. pending in this Court and the United States Bankruptcy Court for the Northern District of Texas, Appellee requests an additional 21 days to prepare Appellee’s brief. Again, Appellants do not oppose the requested 21-day extension.

This request is made for good cause shown under Rule 31.4.3.1 of the Fifth Circuit Rules and IOPs.

Thank you for your consideration and granting of this extension request.



Lyle W. Cayce  
August 23, 2023  
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Very truly yours,

A handwritten signature in black ink, appearing to read "Z.A.", written over a horizontal line.

Zachery Z. Annable

