

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

<b>In re</b>	§	
	§	<b>Civ. Act. No. 3:21-cv-0881-x</b>
<b>HIGHLAND CAPITAL MANAGEMENT, L.P.</b>	§	
	§	<b>Consolidated with:</b>
	§	<b>3:21-cv-0880-x</b>
<b>Reorganized Debtor/Plaintiff,</b>	§	<b>3:21-cv-1010-x</b>
	§	<b>3:21-cv-1378-x</b>
<b>v.</b>	§	<b>3:21-cv-1379-x</b>
	§	<b>3:21-cv-3160-x</b>
<b>NEXPOINT ASSET MANAGEMENT, L.P. (f/k/a HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.), et al.,</b>	§	<b>3:21-cv-3162-x</b>
	§	<b>3:21-cv-3179-x</b>
	§	<b>3:21-cv-3207-x</b>
	§	<b>3:22-cv-0789-x</b>

**Defendants.**

**NOTICE OF APPEAL TO UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

NexPoint Asset Management, L.P. (f/k/a Highland Capital Management Fund Advisors, L.P. (“NexPoint”)), defendant in Civ. Act. No. 3:22-cv-0881-x (consolidated with the above-captioned matters) and the adversary proceeding styled *Highland Capital Management, L.P. vs. Highland Capital Management, Fund Advisors, L.P.*, Adversary Proceeding No. 21-03082-sgj, appeals to the United States Court of Appeals for the Fifth Circuit from the following orders of the District Court for the Northern District of Texas: (1) the AMENDED FINAL JUDGMENT AGAINST NEXPOINT ASSET MANAGEMENT, L.P. (f/k/a HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.) entered in this consolidated case as Dkt. 144 on August 3, 2023, and (2) Electronic Orders Dkt. 129 and Dkt. 131 (clarified by Electronic Order Dkt. 135, entered on July 6, 2023), which denied as moot the Motion for Ruling on Pending Objections (addressing, *inter alia*, an Objection to Order Denying Motions to Extend Expert Disclosure and Discovery Deadlines).



The parties to the judgment appealed from and the names and addresses of their respective attorneys are as follows:

**Plaintiff Highland Capital Management, L.P.**

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz

[jpomerantz@pszjlaw.com](mailto:jpomerantz@pszjlaw.com)

John A. Morris

[jmorris@pszjlaw.com](mailto:jmorris@pszjlaw.com)

Gregory V. Demo

[gdemo@pszjlaw.com](mailto:gdemo@pszjlaw.com)

Hayley R. Winograd

[hwinograd@pszjlaw.com](mailto:hwinograd@pszjlaw.com)

10100 Santa Monica Blvd., 13<sup>th</sup> Floor

Los Angeles, CA 90067

Telephone: (310) 277-6910

Facsimile: (310) 201-0760

HAYWARD PLLC

Melissa S. Hayward

[mhayward@haywardfirm.com](mailto:mhayward@haywardfirm.com)

Zachery Z. Annable

[zannable@haywardfirm.com](mailto:zannable@haywardfirm.com)

10501 N. Central Expressway, Suite 106

Dallas, TX 75231

Telephone: (972) 755-7108

Facsimile: (972) 755-7110

**Defendant NexPoint Asset Management, L.P. (f/k/a Highland Capital Management Fund Advisors, L.P.)**

STINSON LLP

Deborah Rose Deitsch-Perez

[deborah.deitsch-perez@stinson.com](mailto:deborah.deitsch-perez@stinson.com)

Michael P. Aigen

[michael.aigen@stinson.com](mailto:michael.aigen@stinson.com)

2200 Ross Avenue, Suite 2900

Dallas, TX 75201

Telephone: (214) 560-2201

Facsimile: (214) 560-2203

Dated: September 1, 2023

Respectfully submitted,

/s/ Deborah Deitsch-Perez  
Deborah Deitsch-Perez  
State Bar No. 24036072  
deborah.deitschperez@stinson.com  
Michael P. Aigen  
michael.aigen@stinson.com  
State Bar No. 24012196  
STINSON LLP  
2200 Ross Avenue, Suite 2900  
Dallas, Texas 75201  
(214) 560-2201 telephone  
(214) 560-2203 facsimile

*Attorneys for Defendant NexPoint Asset Management, L.P.  
(f/k/a Highland Capital Management Fund Advisors, L.P.)*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on September 1 2023, a true and correct copy of the foregoing document was served via the Court's CM/ECF system on all parties registered to receive electronic notices in this case.

/s/ Deborah Deitsch-Perez  
Deborah Deitsch-Perez