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Counsel for Highland Capital Management, L.P.

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

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

NEXPOINT ASSET MANAGEMENT, L.P.
(F/K/A HIGHLAND CAPITAL MANAGEMENT
FUND ADVISORS, L.P.), et al.,

Defendants.

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

(Consolidated with 3:21-cv-00880-
X, 3:21-cv-01010-X, 3:21-cv-01378-
X, 3:21-cv-01379-X)

**HIGHLAND CAPITAL MANAGEMENT, L.P.’S STATEMENT IN
RESPONSE TO NOTICE OF BONDING**



Highland Capital Management, L.P. (“HCMLP”), by and through its undersigned counsel, submits this statement in response to the *Notice of Bonding* [Docket No. 162] filed on November 1, 2023, by Defendants James Dondero, NexPoint Real Estate Partners LLC (f/k/a HCRE Partners LLC), NexPoint Asset Management, L.P. (f/k/a Highland Capital Management Fund Advisors, L.P.), NexPoint Advisors, L.P., and Highland Capital Management Services, Inc. (collectively, “Defendants”).

In their Notice of Bonding, Defendants represented that they had tendered all top-up interest (the “Top-Up Interest”) required by this Court’s *Order Granting Joint Agreed Emergency Motion Approving Stipulation for the Bonding of Judgments and Stays of Executions Pending Appeal* [Docket No. 149] (the “Order”). HCMLP believes that the Top-Up Interest tendered by the Defendants is materially less than the amount required by the Order and applicable law and accordingly reserves all rights, including, without limitation, the right to require Defendants to tender additional Top-Up Interest as required by the Order and applicable law.

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Dated: November 8, 2023

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