

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE CHARITABLE DAF FUND, L.P. §
et al, §
§
Plaintiffs, §

Civil Action No. 3:21-CV-1974-X

v. §
§
HIGHLAND CAPITAL §
MANAGEMENT LP, §
§
Defendant. §
§

ORDER REMANDING TO BANKRUPTCY COURT

The Fifth Circuit’s decision in this case vacated the Court’s judgment and the mandate remanded the case to this Court for “further proceedings in accordance with the opinion of this Court.”¹ The mandate issued on April 26, 2024. Consistent with the Fifth Circuit’s opinion and mandate, the Court **REMANDS** this action to the bankruptcy court to follow the Fifth Circuit’s instruction “to limit any sanction award to the damages Highland suffered because DAF filed the Motion in the wrong court—*i.e.*, the expenses Highland reasonably incurred in opposing the Motion in district court, less those it would have spent opposing the Motion had it been filed in bankruptcy court.”²

IT IS SO ORDERED this 6th day of May, 2024.

¹ *The Charitable DAF Fund L.P. et al v. Highland Capital Management, L.P.*, No. 22-11036, Doc. 140-2 at 2 (5th Cir. Apr. 26, 2024).

² *The Charitable DAF Fund L.P. et al v. Highland Capital Management, L.P.*, No. 22-11036, Doc. 131-1 at 10 (5th Cir. Apr. 4, 2024).





BRANTLEY STARR
UNITED STATES DISTRICT JUDGE