

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

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

Defendants.

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

NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC) (“HCRE”), 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. HCRE Partners, LLC (n/k/a NexPoint Real Estate Partners, LLC, et al.*, Adversary Proceeding No. 21-03007-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 REAL ESTATE PARTNERS, LLC (f/k/a HCRE PARTNERS, LLC) entered in this consolidated case as Dkt. 146 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

John A. Morris

jmorris@pszjlaw.com

Gregory V. Demo

gdemo@pszjlaw.com

Hayley R. Winograd

hwinograd@pszjlaw.com

10100 Santa Monica Blvd., 13th Floor

Los Angeles, CA 90067

Telephone: (310) 277-6910

Facsimile: (310) 201-0760

HAYWARD PLLC

Melissa S. Hayward

mhayward@haywardfirm.com

Zachery Z. Annable

zannable@haywardfirm.com

10501 N. Central Expressway, Suite 106

Dallas, TX 75231

Telephone: (972) 755-7108

Facsimile: (972) 755-7110

Defendant NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC)

STINSON LLP

Deborah Rose Deitsch-Perez

deborah.deitsch-perez@stinson.com

Michael P. Aigen

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 Real Estate Partners, LLC
(f/k/a HCRE Partners, LLC)*

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