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

<p>In re:</p> <p>HIGHLAND CAPITAL MANAGEMENT, L.P.,<sup>1</sup></p> <p>Reorganized Debtor.</p>	<p>Chapter 11</p> <p>Case No. 19-34054-sgj11</p>
<p>NEXPOINT REAL ESTATE PARTNERS, LLC (f/k/a HCRE PARTNERS, LLC),</p> <p>Appellant,</p> <p>v.</p> <p>HIGHLAND CAPITAL MANAGEMENT, L.P.,</p> <p>Appellee.</p>	<p>Civil Case No. 3:24-cv-01479-BW</p>

**HIGHLAND CAPITAL MANAGEMENT, L.P.’S  
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE**

<sup>1</sup> The Reorganized Debtor’s last four digits of its taxpayer identification number are (8357). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.



Highland Capital Management, L.P. (“Highland”), the appellee in the above-captioned appeal (the “Appeal”), hereby submits this *Unopposed Motion for Extension of Time to File Response* (the “Motion”) seeking an extension of the deadline to file its response (the “Response”) to the *Opening Brief* [Docket No. 19] (the “Opening Brief”) of NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC) (“Appellant”) filed in the Appeal. In support of its Motion, Highland states as follows:

### **I. BACKGROUND**

1. The appellate record in the Appeal was transmitted to the Court on August 6, 2024, and Appellant’s Opening Brief was due on September 5, 2024. *See* FED. R. BANKR. P. 8018(a)(1). Appellant filed its Opening Brief on September 5, 2024.

2. Highland’s Response is currently due on October 7, 2024 (the “Current Deadline”). *See* FED. R. BANKR. P. 8018(a)(2). Due to a number of conflicting obligations and deadlines, however, it will be difficult for Highland to complete its Response by the Current Deadline.

### **II. RELIEF REQUESTED**

3. Through this Motion, Highland respectfully requests a 14-day extension—to October 21, 2024—by which it must file its Response.

4. Good cause exists for the requested extension. Counsel for Highland in charge of preparing the Response has numerous professional conflicts in the next couple of weeks, including preparing for trial in another matter that is scheduled to take place at the end of September, which would make it difficult for counsel to devote the requisite time to drafting the Response. The requested 14-day extension will provide counsel with sufficient time to prepare the Response.

5. Accordingly, for the foregoing reasons, Highland respectfully requests that the Court extend the deadline for Highland to file its Response from October 7, 2024 to October 21, 2024.

6. As indicated in the certificate of conference below, Appellant is **UNOPPOSED** to the requested extension.

7. Highland is not seeking the requested extension for the purpose of delay, but so that justice may be done.

### **III. CONCLUSION**

WHEREFORE, Highland respectfully requests that the Court enter an order (i) granting the Motion, (ii) extending the deadline for Highland to file its Response from October 7, 2024 to October 21, 2024, and (iii) granting Highland such additional relief as may be just and proper.

Dated: September 17, 2024

**PACHULSKI STANG ZIEHL & JONES LLP**

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-and-

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*/s/ Zachery Z. Annable*

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*Counsel for Highland Capital Management, L.P.*

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that, on September 13, 2024, counsel for Highland, John A. Morris, corresponded with counsel for Appellant, Amy L. Ruhland, regarding the relief requested in the foregoing Motion. Ms. Ruhland advised Mr. Morris that Appellant is **UNOPPOSED** to the relief requested in the Motion.

*/s/ Zachery Z. Annable*  
Zachery Z. Annable

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

In re:  HIGHLAND CAPITAL MANAGEMENT, L.P., <sup>1</sup>  Reorganized Debtor.	Chapter 11  Case No. 19-34054-sgj11
NEXPOINT REAL ESTATE PARTNERS, LLC (f/k/a HCRE PARTNERS, LLC),  Appellant,  v.  HIGHLAND CAPITAL MANAGEMENT, L.P.,  Appellee.	Civil Case No. 3:24-cv-01479-BW

**ORDER GRANTING HIGHLAND CAPITAL MANAGEMENT, L.P.’S  
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE**

Having considered the *Unopposed Motion for Extension of Time to File Response* (the “Motion”)<sup>2</sup> filed by Highland Capital Management, L.P. (“Highland”), the Court finds and concludes that good cause exists to grant the Motion. **IT IS THEREFORE ORDERED THAT:**

1. The Motion is **GRANTED**.
2. Highland is authorized to file its Response on or before October 21, 2024.

**It is so ordered** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
The Honorable Brian McKay  
United States Magistrate Judge

<sup>1</sup> The Reorganized Debtor’s last four digits of its taxpayer identification number are (8357). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

<sup>2</sup> Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Motion.