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

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Debtor.

CHARITABLE DAF FUND, L.P. and
CLO HOLDCO, LTD.,

Appellants,

Vs.

Appellee.

Appellee.

S Chapter 11

Case No. 19-34054-sgj11

S Case No. 19-34054-sgj11

Case No. 3:23-cv-01503-B

S Civil Case No. 3:23-cv-01503-B

## NOTICE OF APPEAL OF APPELLANTS CHARITABLE DAF FUND, L.P. AND CLO HOLDCO, LTD.

Appellants Charitable DAF Fund, L.P. and CLO HOLDCO, LTD. appeal to the United States Court of Appeals for the Fifth Circuit from the Final Judgment of the Northern District of Texas entered on September 10, 2024, affirming the Northern District of Texas Bankruptcy Court's Order Granting Highland Capital Management, L.P.'s Renewed Motion to Dismiss Complaint.

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

Charitable DAF Fund, L.P. and Mazin A. Sbaiti CLO Holdco, Ltd., Appellants: Jonathan Bridges

Sbaiti & Company PLLC

2200 Ross Avenue, Suite 4900W

Dallas, TX 75201



Highland Capital Management, L.P., Appellee:

Jeffrey N. Pomerantz John A. Morris Gregory V. Demo Hayley R. Winograd Pachulski Stang Ziehl & Jones LLP 10100 Santa Monica Blvd., 13<sup>th</sup> Floor Los Angeles, CA 90067

Melissa S. Hayward Zachery Z. Annable Hayward PLLC 10501 N. Central Expressway, Suite 106

Dallas, TX 75231

Dated: September 20, 2024 Respectfully submitted,

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

Texas Bar No. 24058096

Jonathan Bridges

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Dallas, TX 75201 T: (214) 432-2899

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Counsel for Appellants'

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on all counsel of record via the Court's CM/ECF System on this 20<sup>th</sup> day of September, 2024.

/s/ Mazin A. Sbaiti Mazin A. Sbaiti

## **United States Court of Appeals**

FIFTH CIRCUIT OFFICE OF THE CLERK

LYLE W. CAYCE CLERK

TEL. 504-310-7700 600 S. MAESTRI PLACE, Suite 115 NEW ORLEANS, LA 70130

September 26, 2024

Ms. Melissa Sue Hayward Hayward, P.L.L.C. 10501 N. Central Expressway Suite 106 Dallas, TX 75231-0000

Mr. Jeffrey N. Pomerantz Pachulski Stang Ziehl & Jones, L.L.P. 10100 Santa Monica Boulevard 13th Floor Los Angeles, CA 90067

Mr. Mazin Ahmad Sbaiti 2200 Ross Avenue Suite 4900w Dallas, TX 75201-0000

No. 24-10880 Charitable DAF Fund v. Highland Capital USDC No. 3:23-CV-1503

Dear Ms. Hayward, Mr. Pomerantz, Mr. Sbaiti,

Bankruptcy Creditor Disclosure Requirements

The parties are directed within fourteen (14) days from the date of this notice to submit a Bankruptcy Creditor Disclosure. You are required to disclose the identity of: (1) the debtor; (2) the members of the creditor's committee; (3) any entity that is an active participant in the proceeding before the Fifth Circuit; (4) any other entity known to the declarant whose stock or equity value could be substantially affected by the outcome of the proceeding; and (5) counsel to the parties/entities identified in (1)-(4). Please submit this disclosure electronically using the "Creditor Disclosure Statement" event.

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Sincerely,

LYLE W. CAYCE, Clerk

By:

Casey A. Sullivan, Deputy Clerk 504-310-7642