



SBAITI & COMPANY

A TEXAS PROFESSIONAL LIMITED LIABILITY COMPANY

November 1, 2024

Via CM/ECF

Lyle W. Cayce
Clerk of Court
United States Court of Appeals for the Fifth Circuit
600 S. Maestri Place, Suite 115
New Orleans, LA 70130

Re: *Charitable DAF Fund, L.P. v. Highland Capital Management, L.P. (In re Highland Capital Management, L.P.)*, No. 24-10880

Dear Mr. Cayce:

Pursuant to Federal Rule of Appellate Procedure 27, Circuit Rule 27.1.1, and Circuit Rule 31.4, Appellants Charitable DAF Fund, L.P. and CLO Holdco, Ltd. respectfully submit this request for a seventeen-day extension of time to and including December 20, 2024, to file their opening brief.

On October 31, 2024, Mazin Sbaiti, lead counsel for Appellants, contacted counsel for Appellee Highland Capital Management, L.P., seeking Appellee's position on Appellants' requested extension of time. Shortly thereafter, John Morris, lead counsel for Appellee, stated that Appellee is **unopposed** to Appellants' request. Per Circuit Rule 31.4.3.1, Appellants then called the Clerk's Office to make their unopposed request, and the Clerk's Office asked that Appellants make the request in this manner.

Good cause exists for the requested extension under Circuit Rule 31.4.2. In addition to the Thanksgiving holiday immediately preceding the current deadline for Appellants' opening brief, lead counsel for Appellants will be working to meet deadlines in other litigation, including filing (i) an amended class complaint in *In re Vicor Securities Litigation*, No. 3:24-CV-4196 (N.D. Cal.), in which Mr. Sbaiti is the court-designated lead class counsel; and (ii) a reply to a motion to reinstate in *Nelms v. ERCOT (In re Griddy Energy LLC)*, No. 22-AP-3315 (Bankr. S.D. Tex.), in which Mr. Sbaiti is lead counsel for the plaintiff.

Accordingly, Appellants respectfully request that the Court extend the time for filing their opening brief by seventeen days, to and including December 20, 2024.



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Yours very truly,

A handwritten signature in blue ink, appearing to read "Mazin A. Sbaiti". The signature is fluid and cursive, with a prominent loop at the end.

Mazin A. Sbaiti