



John A. Morris

January 28, 2025

212.561.7760
jmorris@pszjlaw.com**LOS ANGELES**10100 SANTA MONICA BLVD. 13TH FL.
LOS ANGELES, CALIFORNIA 90067-4003
310.277.6910**NEW YORK**780 THIRD AVENUE, 34TH FL.
NEW YORK, NEW YORK 10017-2024
212.561.7700**WILMINGTON**919 NORTH MARKET STREET, 17TH FLOOR,
P.O. BOX 8705
WILMINGTON, DELAWARE 19899-8705
302.652.4100**HOUSTON**700 LOUISIANA STREET, STE. 4500
HOUSTON, TEXAS 77002
713.691.9385**SAN FRANCISCO**ONE SANSOME STREET, 34TH FL. STE. 3430
SAN FRANCISCO, CALIFORNIA 94104
415.263.7000**VIA ECF**Lyle W. Cayce, Clerk
United States Court of Appeals
for the Fifth Circuit
Office of the Clerk
F. Edward Hebert Building
600 S. Maestri Place
New Orleans, Louisiana 70130Re: Case No. 24-10287, *Dondero v. Jernigan* (petition
for rehearing en banc pending)

Dear Mr. Cayce:

In connection with the above-referenced pending matter, Highland has previously informed the Court of a report and recommendation issued by Judge Jernigan in favor of James Dondero (the "First Report") and the District Court's adoption of the First Report. *See* Document 75 and Document 130.

Highland files the instant letter under Rule 28(j) to inform the Court that, on January 27, 2025, Judge Jernigan issued another report in the *Acis* case, this time recommending that the District Court dismiss with prejudice *all* remaining claims against Dondero. *See Report and Recommendation to the District Court That It Grant Defendant James Dondero's Motion for Judgment on the Pleadings and "Supplemental" Motion for Summary Judgment and Dismiss with Prejudice All Remaining Counts Against Dondero* [Case No. 18-30264-sgj-11, Adv. Pro. No. 20-03060-sgj, Dkt. No. 239 (the "Second Report")].

Judge Jernigan's recommendations favorable to Dondero, including those set forth in the Second Report, cannot be reconciled with Appellants' contention that Judge Jernigan is biased against Dondero and his affiliates.





PACHULSKI
STANG
ZIEHL &
JONES

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Respectfully submitted,

/s/ John A. Morris

John A. Morris

cc: Counsel of Record (via ECF)

JAM:is