
Case No. 23-10534

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

IN THE MATTER OF HIGHLAND CAPITAL MANAGEMENT, L.P.
DEBTOR

HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.,
NOW KNOWN AS NEXPOINT ASSET MANAGEMENT, L.P.;
NEXPOINT ADVISORS, L.P.,
APPELLANTS

v.

HIGHLAND CAPITAL MANAGEMENT, L.P.,
APPELLEE

Direct Appeal from the
United States Bankruptcy Court
Northern District of Texas
Case No. 19-34054-sgj11

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE PETITION FOR PANEL REHEARING
OR REHEARING EN BANC**

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Counsel for Appellee



Under Federal Rule of Appellate Procedure 26(b) and Fifth Circuit Local Rule 27.1.1, Appellee Highland Capital Management, L.P. (“**Highland**”) respectfully moves for an extension of 14 days to file a Petition for Rehearing En Banc or Petition for Panel Rehearing (“**Petition**”).

The panel issued its opinion and the Court entered judgment on March 18, 2025. The due date for Highland to file its Petition is April 1, 2025. If granted, the requested 14-day extension would permit filing of the Petition through and including April 15, 2025. Counsel for Highland has conferred with counsel for Appellants about this request, who stated that Appellants do not oppose the requested extension.

Highland respectfully submits that good cause exists for the requested 14-day extension. Counsel for Highland needs additional time to prepare the Petition in light of concurrent deadlines and obligations in other matters, including emergency matters in newly-filed complex Chapter 11 bankruptcy cases and ongoing time-sensitive depositions and other discovery in other cases. Additionally, Highland’s lead litigation counsel, John Morris, is presently suffering from a difficult case of COVID and has been unable to fully participate in the preparation of the Petition.

Highland has not previously requested an extension of time to file the Petition.

Accordingly, Highland requests that the Court grant this motion and extend the deadline to file a petition for panel rehearing or rehearing en banc from April 1, 2025 through and including April 15, 2025.

Dated: March 25, 2025

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CERTIFICATE OF SERVICE

I certify that on March 25, 2025, the foregoing Unopposed Motion for Extension of Time to File Petition for Panel Rehearing or Rehearing En Banc was electronically filed using the appellate CM/ECF system. I further certify that all participants in this case are registered CM/ECF users and that service will be accomplished via CM/ECF.

/s/ Zachery Z. Annable
Zachery Z. Annable

CERTIFICATE OF COMPLIANCE

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because this motion contains 236 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f) and 5th Cir. R. 32.2.

2. This motion complies with the typeface requirements of Fed. R. App. P. 27(d)(1)(E), Fed. R. App. P. 32(a)(5), and 5th Cir. R. 32.1 and the type style requirements of Fed. R. App. P. 27(d)(1)(E) and 32(a)(6) because this motion has been prepared using Microsoft Word in Garamond, a proportionally spaced typeface, in 14 point.

/s/ Zachery Z. Annable
Zachery Z. Annable