

KELLY HART PITRE

Louis M. Phillips (#10505)
One American Place
301 Main Street, Suite 1600
Baton Rouge, LA 70801-1916
Telephone: (225) 381-9643
Facsimile: (225) 336-9763
Email: louis.phillips@kellyhart.com
Amelia L. Hurt (LA #36817, TX #24092553)
400 Poydras Street, Suite 1812
New Orleans, LA 70130
Telephone: (504) 522-1812
Facsimile: (504) 522-1813
Email: amelia.hurt@kellyhart.com

KELLY HART & HALLMAN

Hugh G. Connor II
State Bar No. 00787272
hugh.connor@kellyhart.com
Michael D. Anderson
State Bar No. 24031699
michael.anderson@kellyhart.com
Katherine T. Hopkins
Texas Bar No. 24070737
katherine.hopkins@kellyhart.com
201 Main Street, Suite 2500
Fort Worth, Texas 76102
Telephone: (817) 332-2500
Telecopier: (817) 878-9280

COUNSEL FOR THE CHARITABLE DEFENDANTS

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

In re: § **Case No. 19-34054-sgj11**
§
HIGHLAND CAPITAL MANAGEMENT, §
L.P., § **Chapter 11**
§
Debtor §

OFFICIAL COMMITTEE OF §
UNSECURED CREDITORS, §
§



Plaintiff,	§	
	§	
vs.	§	Adversary No. 20-03195
	§	Relates to Dkt. No. 70
	§	
CLO HOLDCO, LTD., CHARITABLE	§	
DAF HOLDCO, LTD., CHARITABLE	§	
DAF FUND, LP, HIGHLAND DALLAS	§	
FOUNDATION, INC., THE DUGABOY	§	
INVESTMENT TRUST, GRANT JAMES	§	
SCOTT III IN HIS INDIVIDUAL	§	
CAPACITY, AS TRUSTEE OF THE	§	
DUGABOY INVESTMENT TRUST, AND	§	
AS TRUSTEE OF THE GET GOOD	§	
NONEXEMPT TRUST, AND JAMES D.	§	
DONDERO,	§	
	§	
Defendants.	§	

AMENDED WITNESS AND EXHIBIT LIST

CLO HoldCo, LTD. and Highland Dallas Foundation, Inc. (the “Charitable Defendants”) file this Amended Witness and Exhibit List, which amends Dkt. No. 76, with regards to the hearing set for August 19, 2021 at 9:30 AM regarding the Motion for Further Extend the Stay of the Adversary Proceeding Through October 15, 2021 (Dkt. No. 70) (the “Second Stay Motion”) filed by the Official Committee of Unsecured Creditors (the “Committee”) and Litigation Trustee (together, the “Movants”).

A. Charitable Defendants may call to testify:

1. Any witness identified by or called by any other party;
2. Any witness needed for authentication of documents; and
3. Any witness for impeachment or rebuttal.

B. Charitable Defendants may introduce:

Exhibit	Description	Offered	Admitted
1.	Declaration of Louis M. Phillips (and Exhibits thereto) 1 - The Official Committee of Unsecured Creditors' Fourth Requests for Production of Documents 2- The Official Committee of Unsecured Creditors' First Requests for Production of Documents to CLO HoldCo, Ltd. 3- Responses and Objections to the Official Committee of Unsecured Creditors' First Requests for Production of Documents to CLO HoldCo, Ltd. And email transmitting service thereof 4- July 29, 2020 Email Correspondence from the Debtor to CLO HoldCo counsel regarding production to the Debtor		
2.	Declaration of Mark Patrick (with Exhibits removed)		
3.	The Official Committee of Unsecured Creditors' Emergency Motion to Compel Production by the Debtor Bankruptcy Case, Dkt. No. 808		
4.	The Debtor's Motion for Protective Order Bankruptcy Case, Dkt. No. 810		
5.	J. Morris Declaration in Support of the Debtor's Motion for Protective Order (including all exhibits thereto) Bankruptcy Case, Dkt. No. 811		
6.	The Official Committee of Unsecured Creditors' Motion for Expedited Consideration of its Motion to Compel Bankruptcy Case, Dkt. No. 814		
7.	Debtor's Objection to Motion to Compel Bankruptcy Case, Dkt. No. 845		
8.	The Official Committee of Unsecured Creditors' Objection to Motion for Protective Order Bankruptcy Case, Dkt. No. 839		

Exhibit	Description	Offered	Admitted
9.	J. Morris Declaration in support of Debtor's Objection to Motion to Compel (and all exhibits thereto) Bankruptcy Case, Dkt. No. 848		
10.	Official Committee of Unsecured Creditors' Omnibus Response Bankruptcy Case, Dkt. No. 872		
11.	Transcript of Hearing on July 21, 2020 Bankruptcy Case, Dkt. No. 864		
12.	August 11, 2020 Order on Motion for Clarification Bankruptcy Case, Dkt. No. 935		
13.	July 13, 2020 Registry Order Bankruptcy Case, Dkt. No. 825		
14.	The Debtor's Fifth Amended Plan of Reorganization of Highland Capital Management Bankruptcy Case, Dkt. No. 1808		
15.	Notice of Effective Date Bankruptcy Case, Dkt. No. 2700		
16.	Quarterly Fee Statements from FTI Consulting Bankruptcy Case, Dkt. Nos. 570, 883, 1244, 1655, 2221, 2611		
17.	Quarterly Fee Statements from Sidley Austin Bankruptcy Case, Dkt. Nos. 569, 831, 1296, 1853, 2240, 2585		
18.	The Motion for Rule 2004 Examination Bankruptcy Case, Dkt. No. 2620		
19.	Charitable Defendants Response to Motion for Rule 2004 Examination Bankruptcy Case, Dkt. No. 2724		
20.	The First Consolidated Monthly Fee Application of Teneo Capital, LLC as Litigation Advisor for the Official Committee of Unsecured Creditors for the Period from April 15, 2021 to and Including June 30, 2021 Bankruptcy Case, Dkt. No. 2586		

Exhibit	Description	Offered	Admitted
21.	Omnibus Reply of The Litigation Trustee in Support of Motion For Entry of an Order Authorizing the Examination Of Rule 2004 Parties Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure Bankruptcy Case, Dkt. No. 2741		
	Any document entered or filed in the Adversary Proceeding, Bankruptcy Case, including any exhibits thereto		
	All exhibits necessary for impeachment and/or rebuttal purposes		
	All exhibits identified by or offered by any other party at the Hearing		

The Charitable Defendants expressly reserve the right to amend the forgoing at any time before the Hearing, including but not limited to the submission of demonstrative exhibits.

Respectfully submitted:

KELLY HART PITRE

/s/ Louis M. Phillips

Louis M. Phillips (#10505)

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301 Main Street, Suite 1600

Baton Rouge, LA 70801-1916

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CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that a true and correct copy of the above and foregoing document and all attachments thereto were sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case on this August 18, 2021.

/s/ Louis M. Phillips

Louis M. Phillips