

Civil Action Nos. 3:21-cv-01974-X & 3:21-cv-01979-S

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

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THE CHARITABLE DAF FUND LP; CLO HOLDCO LTD;  
MARK PATRICK; SBAITI & COMPANY PLLC; MAZIN A. SBAITI;  
JONATHAN BRIDGES; and JAMES DONDERO,

*Appellants,*

v.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

*Appellees.*

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In re: Highland Capital Management, L.P.,  
*Debtor.*

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On Appeal from the United States Bankruptcy Court for the Northern District of  
Texas, Case No. 19-34054, Hon. Stacey G.C. Jernigan, Presiding

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THE CHARITABLE DAF FUND, L.P., CLO HOLDCO, LTD., MARK  
PATRICK, SBAITI & COMPANY, PLLC, MAZIN A. SBAITI, AND  
JONATHAN BRIDGES' UNOPPOSED MOTION FOR EXTENSION OF TIME

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Appellants The Charitable DAF Fund, L.P., CLO Holdco, Ltd., Mark Patrick, Sbaiti & Company, PLLC, Mazin A. Sbaiti, and Jonathan Bridges (collectively, “Appellants”), respectfully request that the Court extend their deadline to file their reply brief, which is currently due by February 28, 2022. For the reasons set forth below, Appellants request that the Court extend this deadline by 21 days, to March 21, 2022. The Parties have conferred, and Appellee does not oppose the relief requested in this Motion.

There is good cause to grant this Motion. In this matter, Appellants challenge an August 4, 2021 bankruptcy court order. Appellants filed their opening brief on December 13, 2021. *See* ECF No. 19. After receiving a 30-day extension of time, Appellee filed its response brief on February 14, 2022. *See* ECF No. 33. Pursuant to Bankruptcy Rule 8018(a)(3), Appellants’ reply brief is due by February 28, 2022.

Counsel for Appellants are currently reviewing Appellee’s brief and working on Appellants’ reply brief. However, undersigned counsel for Appellants must balance the deadlines in this case with several other competing deadlines, including substantial discovery deadlines, oral argument preparation, and several dispositive motions in other matters due in the upcoming weeks.

To allow counsel to devote sufficient time to those matters, while also ensuring that there is sufficient time to prepare the reply in this matter, Appellants respectfully request that the Court enter the accompanying Proposed Order, which

provides that Appellants' reply brief shall be filed by March 21, 2022. Additionally, the proposed order provides that co-Appellant Dondero's reply brief would also be due by March 21, 2022, thereby allowing all parties to file their reply briefs at the same time. Granting the requested relief will not prejudice any Party to this action and will not unreasonably delay these proceedings as there are no other pending deadlines that would be delayed by granting this Motion.

February 22, 2022

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Respectfully submitted,

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### **CERTIFICATE OF CONFERENCE**

I hereby certify that, on February 22, 2022, counsel for Appellants conferred by e-mail with counsel for Appellee, who stated that Appellee does not oppose the relief requested in this motion.

/s/ Erik S. Jaffe  
Erik S. Jaffe

### **CERTIFICATE OF COMPLIANCE**

I hereby certify that this Motion complies with the type-volume limitation set by Rule 8013(f)(3) of the Federal Rules of Bankruptcy Procedure as it contains 311 words.

I further certify that this document complies with the typeface requirements of Rule 8015(a)(5) and the type style requirements of Rule 8015(a)(7)(B) because it has been prepared in a proportionally-spaced typeface using Microsoft Word in 14-point Times New Roman.

/s/ Erik S. Jaffe  
Erik S. Jaffe

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
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THE CHARITABLE DAF FUND LP,  
*et al.*,

*Appellants,*

v.

HIGHLAND CAPITAL  
MANAGEMENT, L.P.,

*Appellee.*

Civil Action Nos.

3:21-cv-01974-X, 3:21-cv-01979-S

**[PROPOSED] ORDER**

Upon consideration of the Unopposed Motion for Extension of Time filed by Appellants The Charitable DAF Fund, L.P., CLO Holdco, Ltd., Mark Patrick, Sbaiti & Company, PLLC, Mazin A. Sbaiti, and Jonathan Bridges, and the entire record herein, it is hereby:

ORDERED that the Motion is GRANTED; and it is

FURTHER ORDERED that Appellants The Charitable DAF Fund, L.P., CLO Holdco, Ltd., Mark Patrick, Sbaiti & Company, PLLC, Mazin A. Sbaiti, and Jonathan Bridges, as well as Appellant James Dondero, shall file their reply briefs by March 21, 2022.

SO ORDERED.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hon. Brantley Starr  
United States District Judge