

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

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

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THE CHARITABLE DAF FUND, L.P. and §  
CLO HOLDCO, LTD., §  
Appellants, §  
v. § Case No. 3:21-cv-03129-N  
HIGHLAND CAPITAL MANAGEMENT, L.P., §  
Appellee. §

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CHARITABLE DAF FUND, L.P. AND CLO §  
HOLDCO, LTD., DIRECTLY AND §  
DERIVATIVELY, §  
Appellants, §  
v. § Case No. 3:22-cv-00695-S  
HIGHLAND CAPITAL MANAGEMENT, L.P., §  
HIGHLAND HCF ADVISOR, LTD., AND §  
HIGHLAND CLO FUNDING, LTD., ,NOMINALLY, §  
Appellees. §

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**APPELLANTS' REPLY IN SUPPORT OF MOTION TO CONSOLIDATE APPEALS  
IN ADVERSARY PROCEEDING NO. 21-03067**



Appellants The Charitable DAF Fund L.P. and CLO Holdco, Ltd. file this Reply to note *Appellee’s explicit non-opposition* to Appellants’ Motion to Consolidate Appeals in Adversary Proceeding No. 21-030671. *See* Response at 1 n.3 (“Appellee does not oppose any consolidation before Judge Boyle.”). Appellee’s Response continues for six pages, rearguing its motion to dismiss the appeal and attempting to explain how the bankruptcy court could not have meant what it actually said. *Id.* at 5 n.16 (“[The bankruptcy court] did make a passing reference to her acting as a magistrate during oral argument. Appellee believes that [the bankruptcy court] was momentarily mistaken ...”).

However, that argument is not pertinent to this Motion which address consolidation of the two appeals and directing them to Judge Boyle—which Appellee never contests. Accordingly, this Court should treat the Motion as unopposed.

Dated: May 9, 2022

Respectfully submitted,

**SBAITI & COMPANY PLLC**

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