

Highland Capital Management, L.P. (“Highland”), a defendant in the above-captioned adversary proceeding (the “Adversary Proceeding”) pending in the United States Bankruptcy Court for the Northern District of Texas, Dallas Division (the “Bankruptcy Court”), hereby submits this *Unopposed Motion for Extension of Time to File Response* (the “Motion”) seeking an extension of the deadline for it to file its response (the “Response”) to the *Objection to Bankruptcy Court Report and Recommendation to the District Court on “Renewed” Motion to Withdraw the Reference [Bankr. Doc. No. 128] [Dkt. No. 3]* (the “Objection”) filed by plaintiffs Charitable DAF Fund, L.P. and CLO Holdco, Ltd. (together, “Plaintiffs”). In support of its Motion, Highland respectfully states as follows:

I. BACKGROUND

1. On November 18, 2022, Plaintiffs filed their *Renewed Motion to Withdraw the Reference [Adv. Dkt. No. 128]* (the “Renewed Motion to Withdraw the Reference”) in the Adversary Proceeding.

2. On February 6, 2023, the Bankruptcy Court issued its *Report and Recommendation to the District Court on “Renewed Motion to Withdraw the Reference” [Bankr. Doc. No. 128] [Adv. Dkt. No. 158]* (the “Report and Recommendation”) recommending that this Court deny Plaintiffs’ Renewed Motion to Withdraw the Reference.

3. On February 21, 2023, Plaintiffs filed their Objection to the Report and Recommendation.

4. Pursuant to Rule 9033(b) of the Federal Rules of Bankruptcy Procedure, Highland’s Response to the Objection is currently due on or before March 7, 2023.

II. RELIEF REQUESTED

5. Through this Motion, Highland respectfully requests a 14-day extension—to March 21, 2023—by which it must file its Response to the Objection.

6. Good cause exists for the requested extension. Counsel for Highland in charge of preparing the Response has numerous professional and personal conflicts in the next couple of weeks which would make it difficult for counsel to devote the requisite time to drafting the Response. A 14-day extension will provide counsel with sufficient time to address the Response.

7. Accordingly, for the foregoing reasons, Highland respectfully requests that the Court extend the deadline for Highland to file its Response from March 7, 2023, to March 21, 2023.

8. As indicated in the Certificate of Conference below, Plaintiffs' counsel is **UNOPPOSED** to the requested extension.

III. CONCLUSION

WHEREFORE, Highland respectfully requests that the Court enter an order (i) granting the Motion, (ii) extending the deadline for Highland to file its Response from March 7, 2023, to March 21, 2023, and (iii) granting Highland such other and further relief as may be just and proper.

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Dated: March 3, 2023

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Counsel for Highland Capital Management, L.P.

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that, on Wednesday, March 1, 2023, counsel for Highland corresponded with counsel for Plaintiffs regarding the relief requested in the foregoing Motion. Plaintiffs' counsel advised counsel for Highland that Plaintiffs are **UNOPPOSED** to the relief requested in the Motion.

/s/ Zachery Z. Annable
Zachery Z. Annable

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

CHARITABLE DAF FUND, L.P. AND CLO
HOLDCO, LTD.,

Plaintiffs,

vs.

HIGHLAND CAPITAL MANAGEMENT, L.P.,
HIGHLAND HCF ADVISOR, LTD., AND
HIGHLAND CLO FUNDING LTD.,

Defendants.

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§ Case No. 3:22-cv-02802-S
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§ Adv. Proc. No. 21-03067-sgj
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**ORDER GRANTING HIGHLAND CAPITAL MANAGEMENT, L.P.’S UNOPPOSED
MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO OBJECTION TO
BANKRUPTCY COURT REPORT AND RECOMMENDATION TO THE DISTRICT
COURT ON “RENEWED” MOTION TO WITHDRAW THE REFERENCE**

Having considered the *Unopposed Motion for Extension of Time to File Response* (the “Motion”)¹ of Highland Capital Management, L.P. (“Highland”), the Court finds and concludes that good cause exists to grant the Motion. **IT IS THEREFORE ORDERED THAT:**

1. The Motion is **GRANTED** as set forth herein.
2. Highland is authorized to file its Response to Plaintiffs’ *Objection to Bankruptcy Court Report and Recommendation to the District Court on “Renewed” Motion to Withdraw the Reference [Bankr. Doc. No. 128] [Dkt. No. 3]* (the “Objection”) on or before March 21, 2023.

It is so ordered this _____ day of _____, 2023.

The Honorable Karen Gren Scholer
United States District Judge

¹ Capitalized terms not otherwise defined in this Order shall have the meanings given them in the Motion.