

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

October 10, 2023

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 23-10911 Highland Capital v. NexPoint Asset  
USDC No. 3:21-CV-881  
USDC No. 3:21-CV-880  
USDC No. 3:21-CV-1010  
USDC No. 3:21-CV-1378  
USDC No. 3:21-CV-1379  
USDC No. 3:21-CV-3160  
USDC No. 3:21-CV-3162  
USDC No. 3:21-CV-3179  
USDC No. 3:21-CV-3207  
USDC No. 3:22-CV-789

The court has granted the motion to consolidate.

The court has denied the motion for leave to file the principal brief in excess of the page limitations but not to exceed 100 pages for principal briefs and 30 pages for reply brief.

The court has denied the motion to stay the briefing schedules. A motion is required to supplement the record AFTER the briefing notice has issued.

We received your motion to (1) consolidate, (2) stay briefing schedule, and (3) extend length limits for briefs. However, because the same exact motion was filed in the lead case (23-10911) it is not necessary to file the motion a second time in this case. We took no action on the motion filed in (23-10921). The motion filed in the lead case has been processed accordingly.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Roeshawn Johnson, Deputy Clerk  
504-310-7998

Mr. Michael Philip Aigen  
Mr. Zachery Z. Annable  
Ms. Deborah Rose Deitsch-Perez  
Mr. Gregory Vincent Demo  
Ms. Melissa Sue Hayward



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Ms. Karen S. Mitchell  
Mr. John A. Morris  
Mr. Jeffrey N. Pomerantz  
Mr. Davor Rukavina  
Mr. Julian Preston Vasek  
Ms. Hayley R. Winograd

P.S. to Counsel: A revised copy of the caption is enclosed for future filings.

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Case No. 23-10911

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In the Matter of Highland Capital Management, L.P.

Debtor

Highland Capital Management, L.P.,

Appellee

v.

NexPoint Asset Management, L.P., formerly known as Highland Capital Management Fund Advisors, L.P.; NexPoint Advisors, L.P.; NexPoint Real Estate Partners, L.L.C., formerly known as HCRE Partners L.L.C.; Highland Capital Management Services, Incorporated; James Dondero,

Appellants

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In the Matter of Highland Capital Management, L.P.

Debtor

James D. Dondero;

Appellant

v.

Highland Capital Management, L.P.,

Appellee

consolidated with

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No. 23-10921

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In the Matter of Highland Capital Management, L.P.  
Debtor

Highland Capital Management, L.P.,

Appellee

v.

NexPoint Asset Management, L.P., formerly known as Highland  
Capital Management Fund Advisors, L.P.,

Appellant