

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

In re:	§	
	§	
Highland Capital Management, L.P.,	§	Bankr. Case No. 19-34054-sgj-11
	§	
Debtor.	§	
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	§	
Highland Capital Management Fund	§	
Advisors, L.P., now known as NexPoint	§	
Asset Management, L.P., and NexPoint	§	
Advisors, L.P.,	§	
	§	
Appellants,	§	Civil Act. No. 3:22-cv-02170-S
	§	
v.	§	
	§	
Highland Capital Management, L.P.,	§	
	§	
Appellee.	§	

DESIGNATION OF THE RECORD ON APPEAL

COME NOW NexPoint Advisors, L.P. and Highland Capital Management Fund Advisors, L.P. (now known as NexPoint Asset Management, L.P.), creditors and parties in interest in the above-captioned bankruptcy case and appellants in the above-captioned bankruptcy appeal, and, pursuant to Fed. R. App. P. 6(b)(2)(B), designate the following items to be included in the record for the appeal of this matter to the United States Court of Appeals for the Fifth Circuit:

A. ITEMS INCLUDED ON THE DISTRICT COURT DOCKET

Dist. Dkt. No.	Date	Description
1	9/30/2022	Notice of Transmittal and Civil Case Cover Sheet
1-1	9/30/2022	Notice of Appeal from Bankruptcy Court
2	11/22/2022	Transmittal and Certification of Record on Appeal
2-1	11/22/2022	Mini Record Vol. 1



Dist. Dkt. No.	Date	Description
2-2	11/22/2022	Appellant Record Vol. 2
2-3	11/22/2022	Appellant Record Vol. 3
2-4	11/22/2022	Appellant Record Vol. 4
2-5	11/22/2022	Appellant Record Vol. 5
2-6	11/22/2022	Appellant Record Vol. 6
2-7	11/22/2022	Appellant Record Vol. 7
2-8	11/22/2022	Appellant Record Vol. 8
2-9	11/22/2022	Appellant Record Vol. 9
2-10	11/22/2022	Appellant Record Vol. 10
2-11	11/22/2022	Appellant Record Vol. 11
2-12	11/22/2022	Appellant Record Vol. 12
2-13	11/22/2022	Appellant Record Vol. 13
2-14	11/22/2022	Appellant Record Vol. 14
2-15	11/22/2022	Appellant Record Vol. 15
5	1/5/2023	Notice of Stipulated Supplemental Record on Appeal
5-1	1/5/2023	April 12, 2022 Transcript
5-2	1/5/2023	April 13, 2022 Transcript
6	1/12/2023	Appellants' Brief
6-1	1/12/2023	Appellants' Appendix
10	3/15/2023	Appellee's Brief
14	4/3/2023	Appellants' Reply Brief
27	9/26/2023	Transcript of Proceedings on 8/14/2023
32	2/6/2024	Transcript of Proceedings on 1/30/2024
33	2/13/2024	Appellants' Unopposed Motion to Supplement the Record on Appeal ¹

¹ This motion was granted by electronic order on 2/15/2024 (“ELECTRONIC ORDER: IT IS ORDERED that 33 Appellants' Unopposed Motion to Supplement the Record on Appeal is GRANTED. Advisors' Exhibit EE is hereby included in the electronic record on appeal. See ECF No. 33-1. (Ordered by Judge Karen Gren Scholer on 2/15/2024) (chmb) (Entered: 02/15/2024)”).

Dist. Dkt. No.	Date	Description
33-1	2/13/2024	Exhibit EE
33-2	2/13/2024	Proposed Order
35	2/28/2024	Memorandum Opinion and Order
36	3/27/2024	Notice of Appeal
37	4/4/2024	Transcript Order Form

B. OTHER ITEMS

1. Transcript of Oral Argument Held January 30, 2024 (ordered March 27, 2024).
2. This Designation of the Record and the Statement of the Issues on Appeal filed contemporaneously herewith.
3. A certified copy of the docket entries prepared by the Clerk under Fed. R. App. P. 3(d). *See* Fed. R. App. P. 6(b)(2)(B)(iii).

RESPECTFULLY SUBMITTED this 9th day of April, 2024.

MUNSCH HARDT KOPF & HARR, P.C.

By: */s/ Julian P. Vasek*

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ATTORNEYS FOR THE APPELLANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this the 9th day of April, 2024, true and correct copies of this document were electronically served by the Court's ECF system on parties entitled to notice thereof, including on the following counsel for the Appellee:

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