

Case No. 24-10880

**UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT**

**IN THE MATTER OF HIGHLAND CAPITAL MANAGEMENT, L.P.,
*Debtor***

**CHARITABLE DAF FUND, L.P.; CLO HOLDCO, LIMITED,
*Appellants,***

v.

**HIGHLAND CAPITAL MANAGEMENT, L.P.,
*Appellee***

**Appeal from the United States District Court,
Northern District of Texas, Dallas Division**

Case No. 3:23-cv-1503-B

Hon. Jane J. Boyle, District Judge

UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL

Pursuant to Federal Rule of Appellate Procedure 42(b) and Fifth Circuit Rule 42.1, Appellants Charitable DAF Fund, L.P. and CLO HoldCo, Limited respectfully move to withdraw the appeal and to have this case voluntarily dismissed, with prejudice, with each party to bear its own costs. The Appellee Highland Capital Management, L.P. does not oppose the relief requested in this Motion.

Respectfully submitted,

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

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Counsel for Appellants

CERTIFICATE OF CONFERENCE

I certify that counsel for Appellants have contacted counsel for Appellee, particularly Mr. John Morris, who confirmed that the Appellee does not oppose the relief requested in this Motion.

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2025, I electronically filed the foregoing document with the Clerk of the Court for the United Court of Appeals for the Fifth Circuit by using the CM/ECF system. All participants are registered CM/ECF users and will be served by the appellate CM/ECF system.

/s/ *Mazin A. Sbaiti*

Mazin A. Sbaiti

CERTIFICATE OF COMPLIANCE

I certify as follows. In accordance with Federal Rule of Appellate Procedure 27(d)(2)(A), the foregoing Unopposed Motion for Voluntary Dismissal contains 57, excluding the caption page and signature blocks, as counted by counsel's word processing system, and thus complies with the word limit. Further, this document complies with the typeface and type-style requirements of Federal Rule of Appellate Procedure 27(d)(1)(E) because it has been prepared in a proportionally spaced typeface using Microsoft Word for Microsoft 365 and size 14 Times New Roman font. The Motion additionally complies with the Fifth Circuit's ECF Filing Standard A(6) because no privacy redactions were necessary, no paper copies are required, and the document has been scanned for viruses with the most recent version of a commercial virus scanning program and, according to the program scan, is free of viruses.

/s/ *Mazin A. Sbaiti*

Mazin A. Sbaiti