

Case: 23-10534 Document: 95 Page: 1 Date Filed: 05/19/2025  
**NOTICE OF FORM FOR APPEAL**

Docket #0095 Date Filed: 5/20/2025

Only attorneys admitted to the Bar of this Court may practice before the Court. **Each attorney representing a party must complete a separate form. (COMPLETE ENTIRE FORM unless otherwise noted).**

**Fifth Cir. Case NO. 23-10534**

**NexPoint Advisors, L.P.; Highland Capital Management, L.P.** vs. **Highland Capital Management, L.P.**

(Short Title)

The Clerk will enter my appearance as Counsel for **Appellants, NexPoint Advisors, L.P.; Highland Capital**

**Management Fund Advisors, L.P., now known as NexPoint Asset Management, L.P.**

(Please list names of all parties represented, attach additional pages if necessary.)

**The party(s) I represent IN THIS COURT**

☐

Petitioner(s)

☐

Respondent(s)

☐

Amicus Curiae

☒

Appellant(s)

☐

Appellee(s)

☐

Intervenor

☒

I certify that the contact information below is current and identical to that listed in my Appellate Filer Account with PACER.

**/s/Johnny Sutton**

(Signature)

**jsutton@ashcroftlawfirm.com**

(e-mail address)

**Johnny Sutton**

(Type or print name)

**19534250**

(State/Bar No.)

(Title, if any)

**Ashcroft Law Firm**

(Firm or Organization)

**Address 1919 Congress Ave, Ste. 1325**

**City & State Austin, Texas**

**Zip 78701**

**Primary Tel. 512-370-1800 Cell Phone: (Optional)**

**NOTE:** When more than one attorney represents a single party or group of parties, counsel should designate a lead counsel. In the event the court determines oral argument is necessary, lead counsel **only** will receive via e-mail a copy of the court's docket and acknowledgment form. Other counsel must monitor the court's website for the posting of oral argument calendars.

**Name of Lead Counsel: Davor Rukavina, Esq.**

**A. Name of any Circuit Judge of the Fifth Circuit who participated in this case in the district or bankruptcy court.**

**Stacey G. C. Jernigan**

**B. Inquiry of Counsel. To your knowledge:**

(1) Is there any case now pending in this court, which involves the same, substantially the same, similar or related issue(s)?

☐

Yes

☒

No

(2) Is there any such case now pending in a District Court (i) within this Circuit, or (ii) in a Federal Administrative Agency which would likely be appealed to the Fifth Circuit?

☐

Yes

☒

No

(3) Is there any case such as (1) or (2) in which judgment or order has been entered and the case is on its way to this Court by appeal, petition to enforce, review, deny?

☒

Yes

☐

No

(4) Does this case qualify for calendaring priority under 5th Cir. R. 47.7? If so, cite the type of case **No**

If answer to (1), or (2), or (3), is yes, please give detailed information. Number and Style of Related Case:

**24-10287 Dondero, et al. vs Stacey G. Jernigan**

**Name of Court or Agency Fifth Circuit of Appeals**

**Status of Appeal (if any) Pending**

**Other Status (if not appealed)**

**NOTE: Attach sheet to give further details.**



193405425052000000000000  
DRI-DA REVISED JUNE 2023