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*Attorneys for NexPoint Real Estate Partners,
LLC (f/k/a HCRE Partners, LLC)*

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

NEXPOINT REAL ESTATE PARTNERS,
LLC

v.

HIGHLAND CAPITAL MANAGEMENT,
L.P.

Civil Action No. 3:24-cv-1479-s

In re:

Chapter 11

HIGHLAND CAPITAL MANAGEMENT,
L.P.

Case No. 19-34054 (SGJ)



19340542510300000000000001

NOTICE OF APPEAL

NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC) (“Petitioner”), movant in Civil Action No. 3:24-cv-1479-s and party-in-interest in the bankruptcy proceeding styled *In re Highland Capital Management, L.P.*, Case No. 19-34054 (the “Bankruptcy Proceeding”), hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Memorandum Opinion and Order of the United States District Court for the Northern District of Texas entered in this case on September 22, 2025 at Dkt. 29 (the “Order”), which affirmed the Memorandum Opinion and Order Granting Highland Capital Management, L.P.’s Motion for (A) Bad Faith Finding and (B) Attorneys’ Fees Against NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC) in Connection With Proof of Claim # 146 and the Order Denying Motion of NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC) Seeking Relief from Order Pursuant to Bankruptcy Rule 9024 and Fed. R. Civ. P. 60(b)(1) & (6) entered by the United States Bankruptcy Court for the Northern District of Texas in the underlying Bankruptcy Proceeding. A true and correct copy of the Order is attached hereto as Exhibit A. The parties to the appeal are as follows:

Appellant/Petitioner: NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC)

Attorneys:

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Appellee/Respondent: Highland Capital Management, L.P.

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Dated: October 22, 2025

Respectfully Submitted,

PILLSBURY WINTHROP SHAW PITTMAN
LLP

/s/ Amy L. Ruhland

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 22, 2025, a true and correct copy of this document was served electronically via the Court's CM/ECF system to the parties registered or otherwise entitled to receive electronic notices in this case.

/s/ Amy L. Ruhland

Amy L. Ruhland

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
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October 24, 2025

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No. 25-11185 NexPoint v. Highland
USDC No. 3:24-CV-1479

Dear Counsel,

Bankruptcy Creditor Disclosure Requirements

The parties are directed within fourteen (14) days from the date of this notice to submit a Bankruptcy Creditor Disclosure. You are required to disclose the identity of: (1) the debtor; (2) the members of the creditor's committee; (3) any entity that is an

active participant in the proceeding before the Fifth Circuit; (4) any other entity known to the declarant whose stock or equity value could be substantially affected by the outcome of the proceeding; and (5) counsel to the parties/entities identified in (1)-(4). Please submit this disclosure electronically using the "Creditor Disclosure Statement" event.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in cursive script, reading "Rebecca Jeanfreau".

By:

Rebecca L. Jeanfreau, Deputy Clerk
504-310-7645