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January 21, 2026

Lyle W. Cayce
Clerk of the Court
United States Court of Appeals
for the Fifth Circuit
600 S. Maestri Place
New Orleans, LA 70130

Re: Case No. 25-11185, *NexPoint Real Estate Partners, LLC v. Highland Capital Management, L.P.*; Unopposed Level-1 Request for Extension

Ladies and Gentlemen:

This firm is counsel of record for appellee Highland Capital Management, L.P. (“Appellee”) in the above-referenced case. In accordance with Rule 31.4 of the *Rules and Internal Operating Procedures for the United States Court of Appeals for the Fifth Circuit* (the “Fifth Circuit Rules and IOPs”), Appellee respectfully requests an extension of time to file its brief under Rule 28(b) of the Federal Rules of Appellate Procedure of **14 days to March 5, 2026**. Appellant’s counsel has indicated to Appellee’s counsel in writing that appellant does not oppose this requested extension.

Due to the current schedules for other appeals and matters involving Appellee pending in the United States District Court for the Northern District of Texas and the United States Bankruptcy Court for the Northern District of Texas, as well as counsel’s professional and personal scheduling conflicts (Appellee’s lead counsel has active matters pending in the United States Bankruptcy Courts for the Southern District of New York and the District of Delaware and will be out of the country from February 12-21), Appellee requests an additional 14 days to prepare Appellee’s brief. Again, appellant does not oppose the requested 14-day extension.

This request is made for good cause shown under Rule 31.4.3.1 of the Fifth Circuit Rules and IOPs.

Thank you for your consideration and granting of this extension request.



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Lyle W. Cayce

January 21, 2026

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Very truly yours,

A handwritten signature in black ink, appearing to read "ZZA", written in a cursive style.

Zachery Z. Annable

