

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

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

**MARC S. KIRSCHNER, AS LITIGATION
TRUSTEE OF THE LITIGATION SUB-TRUST,**

Plaintiff,

v.

**JAMES D. DONDERO; SCOTT ELLINGTON;
ISAAC LEVENTON; GRANT JAMES SCOTT III;
STRAND ADVISORS, INC.; NEXPOINT
ADVISORS, L.P.; HIGHLAND CAPITAL
MANAGEMENT FUND ADVISORS, L.P.;
DUGABOY INVESTMENT TRUST AND NANCY
DONDERO, AS TRUSTEE OF DUGABOY
INVESTMENT TRUST; GET GOOD TRUST AND
GRANT JAMES SCOTT III, AS TRUSTEE OF
GET GOOD TRUST; HUNTER MOUNTAIN
INVESTMENT TRUST; CLO HOLDCO, LTD.;
CHARITABLE DAF HOLDCO, LTD.;
CHARITABLE DAF FUND, LP.; HIGHLAND
DALLAS FOUNDATION; RAND PE FUND I, LP,
SERIES 1; MASSAND CAPITAL, LLC;
MASSAND CAPITAL, INC.; and SAS ASSET
RECOVERY, LTD.**

Defendants.

Chapter 11

Case No. 19-34054-sgj11

Adv. Pro. No. 21-03076-sgj

Civil Action No. 3:22-CV-203-S

Consolidated with:

Case No. 3:22-CV-229

Case No. 3:22-CV-253

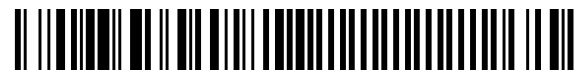
Case No. 3:22-CV-367

Case No. 3:22-CV-369

Case No. 3:22-CV-370

**DEFENDANTS' SECOND UNOPPOSED MOTION TO
RESET STATUS CONFERENCE**

Defendants NexPoint Advisors, L.P., NexPoint Asset Management, L.P. f/k/a Highland Capital Management Fund Advisors, L.P., James Dondero, The Dugaboy Investment Trust, Get Good Trust, Strand Advisors, Inc., Scott Ellington, and Isaac Leventon (collectively, "Defendants") file this Second Unopposed Motion to Reset Status Conference as follows:



I. GROUND FOR MOTION

On February 10, 2026, Plaintiff Hunter Mountain Investment Trust, as the assignee from Mark S. Kirschner, the Litigation Trustee of the Litigation Sub-Trust (“Plaintiff”), filed a Motion to Reopen Case and Request for Status Conference (“Motion”). Dkt. No. 32.

On March 4, 2026, the Court issued an order, granting the Motion in part (“Order”). Dkt. No. 34. The Order reopened this case and set a status conference for March 18, 2026, at 11:30 a.m. Because lead counsel for several Defendants were not available on that date, Defendants filed an Unopposed Motion to Reset Status Conference. Dkt. No. 36. On March 12, 2026, the Court granted that motion and reset the status conference to April 10, 2026, at 2:30 p.m. Dkt. No. 37. On April 8, 2026, however, the Court issued an order resetting the status conference to April 30, 2026, at 11:00 a.m. Dkt. No. 39.

Unfortunately, lead counsel for several of the Defendants is not available at that time. Specifically, Debra Dandeneau, lead counsel for Defendants Scott Ellington and Isaac Leventon, is flying back from Europe the night before the status conference. Even if she takes the first flight out from the East Coast on April 30, 2026, she could not be assured of timely appearing.

Therefore, with Plaintiff’s consent, Defendants request that the status conference be reset to (1) the afternoon on April 30, or (2) the afternoon on May 1, or (3) any time on May 6, 2026. Obviously, subject to any unavoidable conflict, the parties stand ready to appear at such other time as the Court requests.

Ms. Deitsch-Perez contacted the Court via email and requested that the status conference be reset on one of the above dates. In response, Tori Bliss, the Career Law Clerk to the Honorable Karen Gren Scholer, informed Ms. Deitsch-Perez that a request for a continuance must be made by motion setting forth the conflicts. Accordingly, Defendants filed this Motion seeking the requested relief, which is unopposed by Plaintiff.

II. REQUEST FOR RELIEF

Therefore, Defendants request that the Status Conference be reset for the afternoon of April 30, 2026, the afternoon of April 1, 2026, any time on May 6, 2026, or on such other date as the Court may select and on which the parties are available.

April 23, 2026

Respectfully submitted,

STINSON LLP

/s/ Deborah Deitsch-Perez
Deborah Deitsch-Perez
Texas State Bar No. 24036072
Michael P. Aigen
Texas State Bar No. 24012196
2200 Ross Avenue, Suite 2900
Dallas, Texas 75201
Telephone: (214) 560-2201
Facsimile: (214) 560-2203
deborah.deitschperez@stinson.com
michael.aigen@stinson.com

*Counsel for Defendants NexPoint Advisors, L.P.
and NexPoint Asset Management, L.P.
f/k/a Highland Capital Management Fund Advisors,
L.P.*

/s/ Amy L. Ruhland
Amy L. Ruhland
Texas Bar No. 24043561
amy.ruhland@pillsburylaw.com
PILLSBURY WINTHROP SHAW PITTMAN LLP
401 W 4th Street, Suite 3200
Austin, TX 78701
(512) 580-9600

*Attorneys for James Dondero, The Dugaboy
Investment Trust, Get Good Trust, and The Strand
Advisors, Inc.*

/s/Debra A. Dandeneau
(Admitted pro hac vice)
Michelle Hartmann

State Bar No. 24032402
BAKER & MCKENZIE LLP
1900 North Pearl, Suite 1500
Dallas, Texas 75201
Telephone: 214-978-3000
Facsimile: 214-978-3099
Michelle.hartmann@bakermckenzie.com

and

Debra A. Dandeneau
BAKER & MCKENZIE LLP
452 Fifth Ave
New York, NY 10018
Telephone: 212-626-4100
Facsimile: 212-310-1600
Debra.dandeneau@bakermckenzie.com
(Admitted *pro hac vice*)

Counsel for Scott Ellington and Isaac Leventon

CERTIFICATE OF CONFERENCE

I conferred with Sawnie A. McEntire, counsel for Plaintiff, regarding the relief sought herein and he does not oppose the relief requested in this Motion.

/s/Deborah Deitsch-Perez _____

Deborah Deitsch-Perez

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on April 23, 2026, a true and correct copy of this document was served electronically via the court's CM/ECF system.

/s/Deborah Deitsch-Perez _____

Deborah Deitsch-Perez

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

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

**MARC S. KIRSCHNER, AS LITIGATION
TRUSTEE OF THE LITIGATION SUB-TRUST,**

Plaintiff,

v.

**JAMES D. DONDERO; SCOTT ELLINGTON;
ISAAC LEVENTON; GRANT JAMES SCOTT III;
STRAND ADVISORS, INC.; NEXPOINT
ADVISORS, L.P.; HIGHLAND CAPITAL
MANAGEMENT FUND ADVISORS, L.P.;
DUGABOY INVESTMENT TRUST AND NANCY
DONDERO, AS TRUSTEE OF DUGABOY
INVESTMENT TRUST; GET GOOD TRUST AND
GRANT JAMES SCOTT III, AS TRUSTEE OF
GET GOOD TRUST; HUNTER MOUNTAIN
INVESTMENT TRUST; CLO HOLDCO, LTD.;
CHARITABLE DAF HOLDCO, LTD.;
CHARITABLE DAF FUND, LP.; HIGHLAND
DALLAS FOUNDATION; RAND PE FUND I, LP,
SERIES 1; MASSAND CAPITAL, LLC;
MASSAND CAPITAL, INC.; and SAS ASSET
RECOVERY, LTD.**

Defendants.

Chapter 11

Case No. 19-34054-sgj11

Adv. Pro. No. 21-03076-sgj

Civil Action No. 3:22-CV-203-S

Consolidated with:

Case No. 3:22-CV-229

Case No. 3:22-CV-253

Case No. 3:22-CV-367

Case No. 3:22-CV-369

Case No. 3:22-CV-370

**PROPOSED ORDER TO DEFENDANTS' SECOND UNOPPOSED
MOTION TO RESET STATUS CONFERENCE**

Before the Court is Defendants' Second Unopposed Motion to Reset Status Conference. Upon consideration of the Unopposed Motion, the Court GRANTS the motion.

It is hereby ORDERED that the status conference will be reset for _____ 2026 at _____ A.M./P.M.

SO ORDERED: _____, 2026

**KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE**