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ATTORNEYS FOR DEFENDANT JAMES DONDERO

ATTORNEYS FOR DEFENDANTS

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

In re:	§	Case No. 19-34054
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.	§	Chapter 11
	§	
Debtor.	§	
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HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
	§	
Plaintiff.	§	
v.	§	Adversary No. 21-03003-sgj
	§	
JAMES D. DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,	§	
	§	
Defendants.	§	
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HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
	§	
Plaintiff.	§	
v.	§	Adversary No.: 21-03005-sgj
	§	
NEXPOINT ADVISORS, L.P., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,	§	
	§	
Defendants.	§	
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HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
	§	
Plaintiff.	§	
v.	§	Adversary No.: 21-03006-sgj
	§	
HIGHLAND CAPITAL MANAGEMENT SERVICES, INC., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,	§	
	§	
Defendants.	§	
<hr/>		
	§	
	§	

NOTICE OF HEARING



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- b. Motion to Compel Arbitration and Stay Litigation [Docket Nos. 70 and 74]
4. *Highland Capital Management, L.P. v. HCRE Partners, LLC (n/k/a NexPoint Real Estate Partners, LLC), James Dondero, Nancy Dondero, and The Dugaboy Investment Trust*, Adv. Proc. No. 21-03007
- a. Defendants' Rule 12(b)(6) Motion to Dismiss Plaintiff's Fifth, Sixth, and Seventh Claims for Relief [Docket No. 67]
 - b. Motion to Compel Arbitration and Stay Litigation [Docket Nos. 65 and 69]

The hearing on the motions will be held via WebEx videoconference before the Honorable Stacey G.C. Jernigan, United States Bankruptcy Judge. The WebEx video participation/attendance link for the hearing is: <https://us-courts.webex.com/meet/jerniga>

WebEx Hearing Instructions for the Hearing may be obtained from: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-jernigans-hearing-dates> and a copy of those instructions is attached to this Notice of Hearing.

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Dated: September 15, 2021

Respectfully submitted,

/s/ Bryan C. Assink

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on September 15, 2021, a true and correct copy of the foregoing document was served via the Court's CM/ECF system on counsel for Plaintiff Highland Capital Management, L.P. and on all other parties requesting such service in this case.

/s/ Bryan C. Assink

Bryan C. Assink

Judge Stacey Jernigan's Courtroom

<https://us-courts.webex.com/meet/jerniga>

Join by phone

1-650-479-3207 Call-in number (US/Canada)

Access code: 479 393 582

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
OFFICE OF THE CLERK



July 1, 2021

CLERK'S NOTICE 21-05

PARTICIPATING IN HEARINGS USING WEBEX

For those participating in hearings using the Court's WebEx audio and video conferencing platform, please review the following information for helpful tips and instructions. WebEx Connection Information, providing applicable WebEx links and call-in numbers for the Judges in the Dallas, Fort Worth, and Wichita Falls Divisions, is attached to this Notice for your reference.

CONNECTION INSTRUCTIONS FOR PARTICIPATING IN A WEBEX VIRTUAL HEARING

Please connect at least 10 minutes prior to the hearing time using one of the two options below. It is recommended that attorneys discuss the logistics of the WebEx appearance with their clients/witnesses at least 48 hours prior to the hearing.

Option 1: Using the WebEx app on your smartphone, tablet, laptop, or desktop.

It is strongly preferred that participants who wish to speak during a hearing use the WebEx application rather than using the "call-in" option described in Option 2.

Attorneys and/or witnesses who anticipate offering extensive testimony or legal argument, or conducting examination are required to utilize the video function. The Court may consider special requests for other appearance options on a case-by-case basis. Please contact the appropriate courtroom deputy for the presiding judge for further information.

Please connect using only one device. Using two or more devices may cause audio feedback issues.

If using a smartphone or tablet for video, it should be set in a stationary position. Holding a phone or tablet in your hand while speaking does not yield a good video for the Court or other participants.

NOTE: If you are experiencing audio issues when using the WebEx application, you may use the "Call Me" selection under "Audio Connection" to move just the audio portion of the WebEx conference to your telephone.

Option 2: Call-in via phone (audio only).

The meeting number/access code and dial-in number can be found on the attached WebEx Connection Information. Please use *6 or the mute function on your smartphone to mute your line.

HELPFUL HINTS AND ETIQUETTE

- Please use the mute function when you are not speaking. Please be aware that sometimes the Court mutes everyone when there is background noise. When you want to speak, make sure you are not on mute. Call-in users should dial *6 to unmute your line.
- Remember to state your name for the record each time before speaking and speak slowly and clearly so the Court can get a good record. Also, use your proper name on your device or for your WebEx login when participating over video, so that the Court can more easily determine who is speaking.
- Use headphones whenever possible, especially if using a desktop PC with external speakers. We have found that newer iPhones provide the best visual and audio feed – better than most desktop computers. If you are on a personal computer, headphones or earbuds are required for those who need to speak during the hearing.
- During examination, attorneys and witnesses should use a separate camera and microphone when possible. To avoid feedback, parties using separate devices must not be in the same room. The Court may consider special requests on a case-by-case basis.
- WebEx participants may use the "share" button to easily share their screen or document with the Court or other WebEx participants. Press “stop sharing” to remove the presentation from the meeting.
- When making an appearance from a vehicle, please park in a safe location with windows rolled up (to minimize background distraction and noise) and use a headset that is ear-to-phone (not the vehicle’s hands-free speaker-phone option).
- Suggestions for participating in a WebEx hearing from home: If you are having connectivity problems, turn off devices that may be using bandwidth on your home network. Devices or applications such as Facetime, Roku, streaming media players, video games, or large downloads can negatively impact the audio and video quality of the WebEx meeting.
- Participants are reminded that they should wear attire suitable for court.
- Participants who wish to test their WebEx connection or the share screen functionality in advance of the hearing may arrange a “practice run” by contacting the appropriate courtroom deputy.

EXHIBITS AND DEMONSTRATIVE AIDS

Exhibits should be filed ahead of time by the date that they would normally be exchanged pursuant to our local rules using the "notice" or "list (witness/exhibit/generic)" event in ECF, with a true and correct copy of each designated exhibit filed as a separate, individual attachment, so that the Court and all participants have ready access to all designated exhibits. For voluminous exhibits, please consult the presiding judge’s local exhibit requirements, as it may be necessary for you to provide the Court with an exhibit notebook or electronic file in advance of the hearing. For any witness who is to be called to testify remotely, the party calling the witness is responsible for supplying the witness or counsel, as appropriate, with paper copies of all designated exhibits prior to the hearing.

Demonstrative aids and PowerPoints should also be filed prior to the hearing, if possible. If not, WebEx has the ability to allow you to share your screen, or a particular document, with everyone in the hearing. If these documents are admitted as exhibits, they would then have to be filed after the hearing.

WebEx Connection Information

WebEx Meeting Links:

Judge Harlin D. Hale	https://us-courts.webex.com/meet/hale
Judge Stacey G. C. Jernigan	https://us-courts.webex.com/meet/jerniga
Judge Mark X. Mullin	https://us-courts.webex.com/meet/mullin
Judge Edward L. Morris	https://us-courts.webex.com/meet/morris
Judge Michelle V. Larson	https://us-courts.webex.com/meet/larson

WebEx Teleconference Information:

Judge Harlin D. Hale	Dial-in 650-479-3207 Access Code 476-420-189
Judge Stacey G. C. Jernigan	Dial-in 650-479-3207 Access Code 479-393-582
Judge Mark X. Mullin	Dial-in 650-479-3207 Access Code 474-603-746
Judge Edward L. Morris	Dial-in 650-479-3207 Access Code 473-581-124
Judge Michelle V. Larson	Dial-in 650-479-3207 Access Code 160-135-6015