Case No. 25-11185

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

In the Matter of: Highland Capital Management, L.P.,
Debtor

NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC),
Appellant
v.
Highland Capital Management, L.P.,
Appellee

Appeal from the United States District Court
Northern District of Texas, Dallas Division
No. 3:24-cv-01479-S

MOTION TO WITHDRAW HAYLEY R. WINOGRAD AS COUNSEL

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Highland Capital Management, L.P. ("Highland"), appellee in the above-referenced matter (the "Appeal"), files this motion (the "Motion") respectfully requesting that the Court enter an order permitting the withdrawal of Hayley R. Winograd as an attorney of record for Highland in the Appeal. Ms. Winograd has left the law firm of Pachulski, Stang, Ziehl & Jones LLP (the "Pachulski Firm"). This Motion does not affect and is not intended to affect the appearance of the other attorneys of record at the Pachulski Firm who have appeared in the Appeal on behalf of Highland. Highland will continue to be represented in the Appeal by counsel of record from the Pachulski Firm and Hayward PLLC. Per the certificate of conference attached to this Motion, Ms. Winograd and appellant NexPoint Real Estate Partners, LLC (f/k/a HCRE Partners, LLC) ("HCRE") are unopposed to the relief requested herein.

WHEREFORE, Highland respectfully requests that the Court enter an order (i) granting the Motion, (ii) permitting Hayley R. Winograd to withdraw as counsel of record for Highland in the Appeal, (iii) directing the Clerk of this Court and all parties to remove Hayley R. Winograd as counsel of record for Highland on the docket and any applicable service list, including the Court's CM/ECF electronic notification list, maintained in the Appeal, and (iv) granting Highland such further and additional relief as the Court deems necessary and appropriate.

October 6, 2026

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that, between September 30 and October 6, 2026, Zachery Z. Annable, counsel for Highland, corresponded with Ben Bernell, counsel for HCRE, and Hayley Winograd regarding the relief requested in the foregoing Motion. HCRE and Ms. Winograd are **UNOPPOSED** to the relief requested in the Motion.

/s/ Zachery Z. Annable
Zachery Z. Annable

CERTIFICATE OF COMPLIANCE

1. This document complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because, including footnotes and excluding the parts of the document exempted by Federal Rule of Appellate Procedure 32(f), this document contains 228 words.

2. This document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because this document has been prepared in a proportionally spaced serif typeface (Times New Roman) at 14-point type (12-point for footnotes).

/s/ Zachery Z. Annable
Zachery Z. Annable

CERTIFICATE OF SERVICE

I certify that, on October 6, 2026, a copy of the foregoing Motion was served electronically on all parties registered to receive electronic notice in this case via the Court's CM/ECF system.

/s/ Zachery Z. Annable
Zachery Z. Annable