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ATTORNEYS FOR HIGHLAND CAPITAL  
MANAGEMENT FUND ADVISORS, L.P. AND  
NEXPOINT ADVISORS, L.P.

ATTORNEYS FOR DUGABOY INVESTMENT  
TRUST

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

	)	
In re:	)	Chapter 11
	)	
HIGHLAND CAPITAL MANAGEMENT, L.P.	)	Case No. 19-34054 (SGJ11)
	)	
Debtor.	)	
	)	
	)	

**NOTICE OF APPEAL**

COME NOW Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., and The Dugaboy Investment Trust (the “Appellants”), creditors and parties in interest in the above-captioned bankruptcy case (the “Bankruptcy Case”) of debtor Highland Capital Management, L.P. (the “Appellee”), and, pursuant to 28 U.S.C. § 158(a), hereby appeal to the United States District Court for the Northern District of Texas that certain *Order Approving Debtor’s Motion for Entry of an Order (I) Authorizing the (A) Creation of an Indemnity Subtrust and (B) Entry into an Indemnity Trust Agreement and (II) Granting Related Relief* (the “Order”) entered by the Bankruptcy Court on July 21, 2021 at docket no. 2599 in the Bankruptcy Case.

A copy of the Order is attached hereto as Exhibit “A.”



The names of the parties to the Order, and the contact information for their attorneys, are as follows:

1. Appellants:

Highland Capital Management Fund Advisors, L.P.  
NexPoint Advisors, L.P.

Attorneys:

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The Dugaboy Investment Trust

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2. Appellee:

Highland Capital Management, L.P.

Attorneys:

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RESPECTFULLY SUBMITTED this 4th day of August, 2021.

**MUNSCH HARDT KOPF & HARR, P.C.**

By: /s/ *Julian P. Vasek*

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NEXPOINT ADVISORS, L.P.**

-AND-

**HELLER, DRAPER & HORN, L.L.C.**

By: /s/ *Douglas S. Draper*

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**ATTORNEYS FOR THE DUGABOY  
INVESTMENT TRUST**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on this the 4th day of August, 2021, true and correct copies of this document were electronically served by the Court's ECF system on parties entitled to notice thereof, including on counsel for the Appellee.

By: /s/ Julian P. Vasek

Julian P. Vasek, Esq.



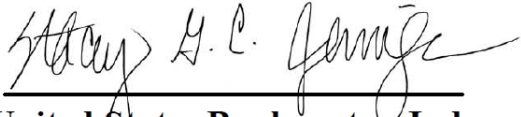
CLERK, U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

THE DATE OF ENTRY IS ON  
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed July 21, 2021

  
United States Bankruptcy Judge

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

In re:	§	
	§	
HIGHLAND CAPITAL MANAGEMENT,	§	Case No. 19-34054
L.P.,	§	Chapter 11
	§	
Debtor.	§	Re: Docket No. 2491
	§	

ORDER APPROVING DEBTOR'S MOTION FOR ENTRY OF AN ORDER (I)  
AUTHORIZING THE (A) CREATION OF AN INDEMNITY SUBTRUST AND (B)  
ENTRY INTO AN INDEMNITY TRUST AGREEMENT AND (II) GRANTING  
RELATED RELIEF

Upon the *Debtor's Motion for Entry of an Order (i) Authorizing the (A) Creation of an Indemnity Subtrust and (b) Entry into an Indemnity Trust Agreement and (ii) Granting Related Relief* (the "Motion"),<sup>1</sup> and the Court finding that: (i) this Court has jurisdiction over this matter

<sup>1</sup> All terms not otherwise defined herein shall be given the meanings ascribed to them in the Motion.

**Exhibit A**



pursuant to 28 U.S.C. §§ 157 and 1334; (ii) venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iv) due and sufficient notice of the Motion has been given; (v) entry into the Trust Agreement and the consummation of the transactions contemplated thereby is an exercise of the Debtor's sound business judgment; and (vi) it appearing that the relief requested in the Motion is necessary and in the best interests of the Debtor's estate and creditors; and good and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDGED, AND DECREED** that:

1. The Motion is **GRANTED** as set forth herein and as modified on the record to provide that the Indemnification Note will be unsecured.

2. Pursuant to 11 U.S.C. §§ 363(b) and 105(a), the Debtor is authorized (i) to enter into and perform under the Trust Agreement and consummate the transactions contemplated thereby, including the creation of the Indemnity Subtrust., and (ii) to negotiate, prepare, execute, and deliver all documents and take such other action as may be necessary or appropriate to implement, effectuate, and fully perform its obligations as and when they are incurred and come due under the Trust Agreement.

3. The terms and provisions of this Order shall be binding in all respects upon all parties in this chapter 11 case, the Debtor, its estate, and all successors and assigns thereof.

4. Notwithstanding the possible applicability of Bankruptcy Rule 6004(h) or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

5. The Debtor is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

**### END OF ORDER ###**