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

In re: HIGHLAND CAPITAL MANAGEMENT, L.P.,[1] Reorganized Debtor.	§	Chapter 11 Case No. 19-34054-sgj11
HIGHLAND CAPITAL MANAGEMENT, L.P., Plaintiff, vs. NEXPOINT ADVISORS, L.P., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST, Defendants.	§	Adversary Proceeding Case No. 21-03005-sgj

[1] The Reorganized Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

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HIGHLAND CAPITAL MANAGEMENT, L.P., Plaintiff, vs. HIGHLAND CAPITAL MANAGEMENT SERVICES, INC., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST, Defendants.	§	Adversary Proceeding Case No. 21-03006-sgj
HIGHLAND CAPITAL MANAGEMENT, L.P., Plaintiff, vs. HCRE PARTNERS, LLC (N/K/A NEXPOINT REAL ESTATE PARTNERS, LLC), JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST, Defendants.	§	Adversary Proceeding Case No. 21-03007-sgj

STIPULATION REGARDING BRIEFING AND HEARING SCHEDULE

This stipulation (the "Stipulation") is made and entered into by and between Highland Capital Management L.P. ("Highland" or the "Reorganized Debtor"), on the one hand, and NexPoint Advisors, L.P. ("NexPoint"), Highland Capital Management Services, Inc. ("HCMS"), and HCRE Partners, LLC (n/k/a NexPoint Real Estate Partners, LLC) ("HCRE," and together with Highland, NexPoint, and HCMS, the "Parties"), by and through their respective undersigned counsel, in connection with the above-captioned adversary proceedings (the "Adversary Proceedings").

RECITALS

WHEREAS, on October 16, 2019 (the "Petition Date"), Highland filed a voluntary petition

for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the Bankruptcy Court for the District of Delaware, Case No. 19-12239 (CSS) (the "Delaware Court");

WHEREAS, on December 4, 2019, the Delaware Court entered an order transferring venue of Highland's Bankruptcy Case to this Court [Bankr. Docket No. 186];[2]

WHEREAS, on February 22, 2021, the Bankruptcy Court entered the *Order (i) Confirming the Fifth Amended Plan of Reorganization (as Modified) and (ii) Granting Related Relief* [Bankr. Docket No. 1943] (the "Confirmation Order") which confirmed the *Fifth Amended Plan of Reorganization of Highland Capital Management, L.P., as Modified* [Bankr. Docket No. 1808] (the "Plan").

WHEREAS, the Plan went Effective (as defined in the Plan) on August 11, 2021, and Highland is the Reorganized Debtor (as defined in the Plan) since the Effective Date. *See Notice of Occurrence of Effective Date of Confirmed Fifth Amended Plan of Reorganization of Highland Capital Management, L.P.* [Bankr. Docket No. 2700].

WHEREAS, on September 7, 2021, the Court entered its *Order Approving Stipulation Governing Discovery and Other Pre-Trial Issues* [*See* Adv. Proc. No. 21-3005 at Docket No. 70][3] (the "Scheduling Order"), pursuant to which the discovery schedules in the Adversary Proceedings are consolidated.

WHEREAS, on October 29, 2021, NexPoint filed its *Motion of Defendant NexPoint Advisors, L.P. to Extend Expert Disclosure and Discovery Deadlines* [Adv. Proc. 21-3005 at Docket No. 86] (the "NexPoint Motion").

WHEREAS, on October 29, 2021, HCMS filed *Defendant Highland Capital Management*

[2] Refers to the docket number maintained in the Bankruptcy Case.

[3] Refers to the docket maintained in the Adversary Proceeding.

Services, Inc.'s Motion to Extend Expert Disclosure and Discovery Deadlines [Adv. Proc. 21-3006] (the "HCMS Motion").

WHEREAS, on October 29, 2021, HCRE filed *Defendant HCRE Partners, LLC's Motion to Extend Expert Disclosure and Discovery Deadlines* [Adv. Proc. 21-3007] (the "HCRE Motion," and together with the NexPoint Motion and HCMS Motion, the "Motions").

WHEREAS, the Parties have conferred and desire to enter into a mutually agreeable proposed scheduling order regarding the Motions, as specifically set forth below.

NOW, THEREFORE, it is hereby stipulated and agreed, and upon approval of this Stipulation by the Court, it shall be SO ORDERED:

1. A hearing on the Motions is set for **December 13, 2021 at 9:30 a.m. (Central Time)**.

2. A response to the Motions (the "Response") shall be filed on or before **December 1, 2021**, unless otherwise agreed in writing by the Parties.

3. Replies to the Responses shall be filed on or before **December 8, 2021**, unless otherwise agreed in writing by the Parties.

4. All deadlines set forth above are effective as of **5:00 p.m. (Central Time)** on each applicable date.

5. If approved by the Court, this Stipulation shall only be modified in a writing signed by the Parties or upon the entry of an order of the Court entered upon notice to the Parties.

6. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of this Stipulation.

Dated: November 19, 2021.

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