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

HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,** **Defendants.**	**Adv. Proc. No. 21-03003**
HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.,** **Defendant.**	**Adv. Proc. No. 21-03004-sgj**

UNOPPOSED REQUEST FOR EMERGENCY HEARING

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HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **NEXPOINT ADVISORS, L.P., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,** **Defendants.**	**Adv. Proc. No. 21-03005**
HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **HIGHLAND CAPITAL MANAGEMENT SERVICES, INC., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,** **Defendants.**	**Adv. Proc. No. 21-03006**
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.**	**Adv. Proc. No. 21-03007**

UNOPPOSED REQUEST FOR EMERGENCY HEARING

Defendants James Dondero ("Dondero"), NexPoint Advisors, L.P. ("NexPoint"), Highland Capital Management Services, Inc. ("HCMS"), and HCRE Partners, LLC ("HCRE"), Defendants in the above-captioned Adversary Proceedings, hereby file this Unopposed Request for Emergency Hearing (the "Request") on the *Agreed Emergency Motion for Leave to Exceed Page Limit for*

Defendants' Response to Plaintiff's Motion for Partial Summary Judgment (the "Motion") filed by Defendants on January 19, 2022. In support thereof, Defendants respectfully represent as follows:

RELIEF REQUESTED AND BASIS FOR RELIEF

1. Section 105(a) of the Bankruptcy Code provides that "the court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a). Further, Bankruptcy Rule 9006(d) permits a court to fix any period of notice by order. Thus, the Court has broad latitude to fix the time for presentment of motions, particularly when "necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a).

2. For the reasons set forth herein and in the underlying Motion, good cause exists to consider the Motion on an immediate basis and schedule an emergency hearing (if the Court deems a hearing necessary to resolve the Motion) for as soon as possible as the Court's schedule allows. Alternatively, since the Plaintiff is **unopposed** to the Motion, Defendants respectfully request that the Court consider the Motion as soon as possible without a hearing.

3. Defendants' deadline to file their brief in response to the Plaintiff's Motion for Partial Summary Judgment is January 20, 2022. Thus, emergency consideration of the Motion is warranted under the circumstances so that a determination as to the page limit of Defendants' brief can be made contemporaneously with its filing. There is no prejudice to any party with this request since Plaintiff has agreed with the relief requested in the Motion and this request for emergency hearing.

WHEREFORE, Defendants respectfully request entry of an order scheduling a hearing on the Motion on an emergency basis, or alternatively considering the Motion on an emergency basis without a hearing, and granting Defendants such other relief as is just and proper.

Dated: January 19, 2022.

Respectfully submitted,

/s/Deborah Deitsch-Perez

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CERTIFICATE OF CONFERENCE

I, the undersigned, hereby certify that, on January 19, 2022, I conferred with Mr. John Morris, counsel for the Plaintiff, regarding the relief requested herein. Mr. Morris indicated that the Plaintiff does not oppose the Motion or request for emergency hearing and agrees with the Defendants' request to exceed the summary judgment response page limit by 15 pages.

/s/ Michael P. Aigen
Michael P. Aigen

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that, on January 19, 2022, 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 or consenting to such service in this case.

/s/Michael P. Aigen
Michael P. Aigen

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

HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,** **Defendants.**	**Adv. Proc. No. 21-03003**
HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.,** **Defendant.**	**Adv. Proc. No. 21-03004-sgj**

HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **NEXPOINT ADVISORS, L.P., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,** **Defendants.**	**Adv. Proc. No. 21-03005**
HIGHLAND CAPITAL MANAGEMENT, L.P., **Plaintiff,** **vs.** **HIGHLAND CAPITAL MANAGEMENT SERVICES, INC., JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,** **Defendants.**	**Adv. Proc. No. 21-03006**
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.**	**Adv. Proc. No. 21-03007**

ORDER GRANTING UNOPPOSED REQUEST FOR EMERGENCY HEARING

On this date, the Court considered the *Unopposed Request for Emergency Hearing* (the "Request") filed by Defendants James Dondero ("Dondero"), NexPoint Advisors, L.P. ("NexPoint"), Highland Capital Management Services, Inc. ("HCMS"), and HCRE Partners, LLC ("HCRE" and collectively, "Defendants") with respect to the *Agreed Emergency Motion for Leave*

to Exceed Page Limit for Defendants' Response to Plaintiff's Motion for Partial Summary Judgment (the "Motion") filed by Defendants on January 19, 2022.

Having considered the Request, the Court finds that good and sufficient cause exists for granting the Request and scheduling an emergency hearing to consider the Motion. Accordingly, it is hereby:

ORDERED, ADJUDGED AND DECREED that:

1. The Request is **GRANTED** as provided herein.

2. A hearing on the Motion shall occur on **January___, 2022 at __: __ a.m.**

END OF ORDER # #