Case 3:22-cv-00335-L Document 2 רוופט טבו בוובע המשפ ב Docket #0002 Date Filed: 2/11/2022

BTXN 049 (rev. 03/15)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

In Re: Highland Capital Management, L	.P.	§ \$ \$ Case No.: 19–34054–sgj11
NexPoint Advisors, L.P.	Debtor(s)	S Chapter No.: 11
	Appellant(s)	\$ \$
vs. Marc S. Kirschner, Litigation Tru	stee of the Litigation	8
Sub-Trust	Annallag(s)	\$ 8
	Appellee(s)	8 §
	\{	§ §

NOTICE OF TRANSMITTAL

I	am	transm	itting:
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	The Motion for leave to Appeal 28 U.S.C. § (USDC Civil Action No. DNC Case).
	The Motion for Stay Pending Appeal (USDC Action No. – DNC Case).
	The Proposed Findings of Fact and Conclusions of Law.
	The Motion to Extend Time To File Designation (USDC Civil Action No DNC Case).
	On , the Record on Appeal was transmitted. The designation of record or item(s) designated by were not filed when the record was transmitted. The item(s) were filed on awaiting instructions from the assigned district judge.
	Other
✓	Copies of: Notice of appeal, appealed order [3180] and supporting documents

TO ALL ATTORNEYS: File all subsequent papers captioned and numbered with the appropriate division of the United States District Clerk's Office. Any questions concerning this proceeding should be directed to the U.S. District Clerk's Office at (214) 753–2200.

DATED: 2/10/22 FOR THE COURT:

Robert P. Colwell, Clerk of Court

by: /s/J. Blanco, Deputy Clerk

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BTXN 150 (rev. 11/10)

In Re:

Highland Capital Management, L.P.

\$ Case No.: 19-34054-sgj11
 \$ Chapter No.: 11

Debtor(s)

CIVIL CASE COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

I. (a) APPELLANT

NexPoint Advisors, L.P

- (b) County of Residence of First Listed Party: (EXCEPT IN U.S. PLAINTIFF CASES)
- (c) Attorney's (Firm Name, Address, and Telephone Number) Davor Rukavina Julian P. Vasek MUNSCH HARDT KOPF&HARR, P.C. 3800 Ross Tower 500 N. Akard Street Dallas, Texas 75201–6659 Telephone: (214) 855–7587

APPELLEE

Marc S. Kirschner, Litigation Trustee of the Litigation Sub-Trust

County of Residence of First Listed Party: (IN U.S. PLAINTIFF CASES ONLY)

Attorney's (If Known)
Paige Holden Montgomery
Juliana L. Hoffman
SIDLEY AUSTIN LLP
2021 McKinney Avenue Suite 2000
Dallas, Texas 75201
Telephone: (214) 981–3300

Telephone. (214) 833 738	,,						
II. BASIS OF JURISDICTION O U.S. Government Plaintiff	C 2	U.S. Government Defendant	⊙ 3	Federal Question (U.S. Government Not a Party)	C ₄	Diversity (Indicate Citizenship of Parties in Item III)	
III. CITIZENSHIP OF PRINCI	PAL PAI	RTIES					
Citizen of This State	\circ	\circ $_{\scriptscriptstyle 1}$	Incorpora of Busine	ted or Principal Place ss In This State	0	4 ° 4	
Citizen of Another State	\circ 2	O 2	Incorpora of Busine	ted and Principal Place ss In Another State	0	5 ° 5	
Citizen or Subject of a Foreign Country	O 3	C 3	Foreign N	ation	0	6 ° 6	
IV. NATURE OF SUIT 6 422 Appeal 28 USC 158	I	C 423 Withdrawal 28	USC 157	C 890 Oths	er Statutory A	ctions	
V. ORIGIN							
Original Proceeding	\circ	Removed from State Court	O_3 F	temanded from Appellate	e Court	C Reinstated or 4 Reopened	
C Transferred from another district	O 6	Multidistrict Litigation	O ₇ A	appeal to District Judge f Augistrate Judgment	rom		
VI. CAUSE OF ACTION							
Cite the U.S. Civil Statute under w 422 Appeal 28 USC 158	hich you	are filing (Do not cite j	urisdiction	al statutes unless divers	sity):		
Brief description of cause: Notice of appeal of a bankruptcy of	ourt orde	r					
VII. REQUESTED IN COMPLA	AINT:						
☐ CHECK IF THIS IS A CI	LASS AC	TION UNDER F.R.C.I	P. 23	DEMAND ¢		demanded in complaint: Yes No	
VIII. RELATED CASE(S) IF AN Judge: Kinkeade	Y		Docke	t Number: 3:21–CV–03	086-K		

DATED: 2/10/22 FOR THE COURT: Robert P. Colwell, Clerk of Co BTXN 116 (rev. 07/08)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

APPEAL SERVICE LIST

Transmission of the Record

BK Case No.: <u>19–34054–sgj11</u>
Received in District Court by:
Date:
Volume Number(s):
cc: Stacey G. Jernigan Robert Schaaf Nathan Elner Attorney(s) for Appellant US Trustee

Appellant NexPoint Advisors, L.P.

Davor Rukavina Julian P. Vasek MUNSCH HARDT KOPF&HARR, P.C. 3800 Ross Tower 500 N. Akard Street Dallas, Texas 75201–6659 Telephone: (214) 855–7587

Appellee Marc S. Kirschner, Litigation Trustee of the Litigation Sub-Trust

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