

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 11, 2023

Lyle W. Cayce
Clerk

No. 22-10189

IN THE MATTER OF HIGHLAND CAPITAL MANAGEMENT, L.P.

Debtor,

HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, ;
NEXPOINT ADVISORS, L.P.; THE DUGABOY INVESTMENT
TRUST,

Appellants,

versus

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:21-CV-1895

Before KING, STEWART, and HAYNES, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by
counsel.



Certified as a true copy and issued
as the mandate on Feb 02, 2023

Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit



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IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED IN PART and DISMISSED IN PART

IT IS FURTHER ORDERED that appellants pay to appellee the costs on appeal to be taxed by the Clerk of this Court.

BILL OF COSTS

NOTE: The Bill of Costs is due in this office *within 14 days from the date of the opinion, See FED. R. APP. P. & 5TH CIR. R. 39.* Untimely bills of costs must be accompanied by a separate motion to file out of time, which the court may deny.

Highland Capital Management Fund Advisors, L.P., et al. v. Highland Capital Management, L.P. No. 22-10189

The Clerk is requested to tax the following costs against: Highland Capital Management Fund Advisors LP; NexPoint Advisors LP; Dugaboy Investment Trust

COSTS TAXABLE UNDER Fed. R. App. P. & 5 th Cir. R. 39	REQUESTED				ALLOWED (If different from amount requested)			
	No. of Copies	Pages Per Copy	Cost per Page*	Total Cost	No. of Documents	Pages per Document	Cost per Page*	Total Cost
Docket Fee								
Appendix or Record Excerpts								
Appellant's Brief								
Appellee's Brief	7	41	\$0.15	\$43.05				
Appellant's Reply Brief								
Other:								
Total \$ 43.05					Costs are taxed in the amount of \$			

Costs are hereby taxed in the amount of \$ 43.05 this 26th day of January, 2023.

State of _____
County of _____

LYLE W. CAYCE, CLERK

By Lisa E. Ferrara
Deputy Clerk

I, Zachery Z. Annable, do hereby swear under penalty of perjury that the services for which fees have been charged were incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this Bill of Costs was this day mailed to opposing counsel, with postage fully prepaid thereon. This 25th day of January, 2023.

*SEE REVERSE SIDE FOR RULES
GOVERNING TAXATION OF COSTS

[Signature]
(Signature)
Attorney for Highland Capital Management, L.P.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

February 02, 2023

Ms. Karen S. Mitchell
Northern District of Texas, Dallas
United States District Court
1100 Commerce Street
Earle Cabell Federal Building
Room 1452
Dallas, TX 75242

No. 22-10189 Highland Captl v. Highland Captl Mgmt
USDC No. 3:21-CV-1895

Dear Ms. Mitchell,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Enclosed for the district court and counsel is the approved bill of costs.

Sincerely,

LYLE W. CAYCE, Clerk

Lisa E. Ferrara

By: _____
Lisa E. Ferrara, Deputy Clerk
504-310-7675

cc:

Mr. Zachery Z. Annable
Mr. Gregory Vincent Demo
Mr. Douglas Scott Draper
Ms. Judith Elkin
Ms. Melissa Sue Hayward
Mr. Jordan A. Kroop
Mr. Jeffrey N. Pomerantz
Mr. Davor Rukavina
Mr. Julian Preston Vasek