




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 16, 2020


United States Bankruptcy Judge

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

In re:	§	Chapter 11
HIGHLAND CAPITAL MANAGEMENT, L.P., ¹	§	Case No. 19-34054-sgj11
Debtor.	§	Related to Docket No. 775

ORDER PURSUANT TO 11 U.S.C. §§ 105(a) AND 363(b) GRANTING AMENDED MOTION OF THE DEBTOR PURSUANT TO 11 U.S.C. §§ 105(a) AND 363(b) AND AUTHORIZING THE DEBTOR TO EMPLOY AND RETAIN DEVELOPMENT SPECIALISTS, INC. TO PROVIDE FINANCIAL ADVISORY AND RESTRUCTURING RELATED SERVICES, NUNC PRO TUNC TO MARCH 15, 2020

This matter coming before the Court on the *Amended Motion of the Debtor Pursuant to 11 U.S.C. §§ 105(a) and 363(b) to Employ and Retain Development Specialists, Inc. to Provide Financial Advisory and Restructuring-Related Services, Nunc Pro Tunc, to March 15, 2020* (the “Amended Motion”),² filed by Highland Capital Management, L.P. (the “Debtor”); the Court

¹ The Debtor’s last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the Amended Motion.



having reviewed the Amended Motion and the Sharp Declaration; the Court having found that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) venue is proper in this district pursuant to 28 U.S.C. § 1409, (c) this is a core proceeding pursuant to 28 U.S.C. § 157(b), and (d) notice of the Amended Motion was sufficient under the circumstances; after due deliberation the Court having determined that the relief requested in the Amended Motion is necessary and essential for the Debtor's estate and such relief is in the best interests of the Debtor, its estate, and its creditors; and good and sufficient cause having been shown;

IT IS HEREBY ORDERED THAT:

1. The Amended Motion is **GRANTED**, as set forth herein, *nunc pro tunc* as of March 15, 2020.

2. The Debtor is authorized to employ and retain DSI to provide the financial advisory and restructuring related services described in the Amended Motion and in accordance with the terms and conditions set forth in the DSI Approval Order (the "Services") effective *nunc pro tunc* as of March 15, 2020; *provided however*, that DSI shall be entitled to compensation to which it is otherwise entitled under the DSI Approval Order as of the date of the entry of this Order.

3. DSI's compensation shall consist of (i) payment of \$100,000 per month in consideration of Mr. Sharp's ongoing financial advisory services; (ii) payment of the hourly rates of the Additional Personnel; and (iii) reimbursement of DSI's reasonable expenses.

4. To the extent required, Mr. Sharp is authorized to terminate his role as the Debtor's chief restructuring officer and foreign representative and resign his positions, subject to and conditioned on the Court's approval of the CEO Motion.

5. The remaining terms of the Engagement Agreement and DSI Approval Order shall remain in effect in all respects except as limited or modified herein.

6. The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

7. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry notwithstanding the possible applicability of Bankruptcy Rules 6004(g), 7062, or 9014.

8. To the extent that this Order is inconsistent with the Engagement Agreement, the terms of this Order shall govern.

9. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

###END OF ORDER###