

CIVIL ACTION NO. 3:23-CV-1503-B

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

In re: HIGHLAND CAPITAL MANAGEMENT, L.P.,
Reorganized Debtor.

CHARITABLE DAF FUND, L.P.
and CLO HOLDCO, LTD.,

Appellants,

v.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Appellee.

On Appeal from the United States Bankruptcy Court for the Northern District
of Texas, Adversary No. 21-03067-sg, Hon. Stacey G.C. Jernigan, Presiding

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE APPELLANTS' REPLY BRIEF**

Mazin A. Sbaiti
Jonathan Bridges
Sbaiti & Company PLLC
2200 Ross Avenue – Suite 4900W
Dallas, TX 75201
T: (214) 432-2899
F: (214) 853-4367

Counsel for Appellants



Appellants Charitable DAF Fund, L.P. and CLO Holdco, Ltd. move this Court for a four-day extension of time in which to file Appellants' reply brief in this appeal of the Bankruptcy Court's Order Granting Defendant Highland Capital Management, L.P.'s "Renewed Motion to Dismiss Complaint." Appellants represent as follows:

1.

The appellate record in this matter was transmitted to this Court on September 11, 2023. Appellants' request for a three-week unopposed extension to file their opening brief was granted on September 25, 2023, and their opening brief was filed on November 1, 2023.

2.

Appellee filed its unopposed request for a three-week extension to file its response brief, which was granted on November 14, 2023, and its response brief was filed on December 22, 2023.

3.

By electronic order of this Court dated November 14, 2023 (Dkt. 24), the deadline for Appellants to file their reply brief is January 8, 2024.

4.

Due to the fact that Appellee's response brief was filed right before Christmas and Appellants' counsel's holiday family-related travel commitments between December 27, 2023, and January 6, 2024, and other briefing deadlines, it will be difficult for counsel to devote the appropriate and required time to draft and finalize Appellants' reply brief.

5.

Accordingly, Appellants respectfully request that the Court extend the deadline for the filing of its reply brief from January 8, 2024, to January 12, 2024.

6.

Appellants' counsel has conferred with Appellee's counsel who is not opposed to the requested four-day extension.

Dated: January 2, 2024

Respectfully submitted,

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

Texas Bar No. 24058096

Jonathan Bridges

Texas Bar No. 24028835

Sbaiti & Company PLLC

2200 Ross Avenue – Suite 4900W

Dallas, TX 75201

T: (214) 432-2899

F: (214) 853-4367

Counsel for Appellants

CERTIFICATE OF CONFERENCE

I hereby certify that on December 26, 2023, I conferred with counsel for Appellee, who stated that Appellee is unopposed to the extension of Appellants' reply brief deadline to and including January 12, 2024.

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

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

In re:	§	
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	Case No. 19-34054-sgj11
	§	
Debtor.	§	
	§	
<hr/>		
CHARITABLE DAF FUND, L.P. and	§	
CLO HOLDCO, LTD.,	§	
	§	
Appellants,	§	
	§	
v.	§	
	§	Case No. 3:23-CV-1503-B
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
	§	
Appellee.	§	
	§	
<hr/>		

ORDER

Having considered Appellants' *Unopposed Motion for Extension of Time to File Appellants' Reply Brief*, the Court finds and concludes that the relief requested by Appellants in the Motion is warranted.

IT IS ORDERED that the deadline for Appellants to file their reply brief is extended to and including January 12,, 2024.

SO ORDERED this ____ day of _____, 2024.

The Honorable Jane J. Boyle
United States District Judge