



Capital
Markets
Tribunal

Tribunal des
marchés
financiers

22nd Floor
20 Queen Street West
Toronto ON M5H 3S8

22e étage
20, rue Queen ouest
Toronto ON M5H 3S8

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

-
and
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**IN THE MATTER OF
NEXPOINT HOSPITALITY TRUST**

File No. 2023-25

Adjudicator: James Douglas (chair of the panel)

October 10, 2023

ORDER

(Section 127 of the *Securities Act*, RSO 1990, c S.5)

WHEREAS on October 4, 2023, the Capital Markets Tribunal held a hearing by videoconference regarding an application brought by Highland Capital Management in respect of the proposed annual and special shareholders' meeting of NexPoint Hospitality Trust;

ON READING the application record of Highland and on hearing the submissions of the representatives for Highland, NexPoint, and Staff of the Ontario Securities Commission;

IT IS ORDERED THAT:

1. the merits hearing shall take place on October 24, 2023 at 10:00 a.m. at the Capital Markets Tribunal located at 20 Queen Street West, 17th floor, Toronto, Ontario, or on such date and time as may be agreed to by the parties and set by the Governance & Tribunal Secretariat; and
2. the parties shall adhere to the following mutually agreed upon schedule for the delivery of materials:
 - a. NexPoint shall serve and file its responding record by 4:30 p.m. on October

10, 2023;

- b. Highland shall serve and file its memorandum of fact and law by 4:30 p.m. on October 12, 2023;
- c. NexPoint shall serve and file its memorandum of fact and law by 4:30 p.m. on October 17, 2023;
- d. Staff shall serve and file its memorandum of fact and law by 4:30 p.m. on October 20, 2023;
- e. Highland shall serve and file its reply memorandum of fact and law, if any, by 4:30 p.m. on October 23, 2023.

"James Douglas"

James Douglas