Docket #4499 Date Filed: 01/19/2026

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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
Reorganized Debtor.	)	

STIPULATION FINALLY RESOLVING APPELLEE'S MOTION TO STRIKE ITEMS IMPROPERLY DESIGNATED AS PART OF THE RECORD ON APPEAL OF CLASS 11 ORDER [DOCKET NO. 4401]

This stipulation (the "Stipulation") is made and entered into by and between the Highland Claimant Trust (the "Claimant Trust"), on the one hand, and The Dugaboy Investment Trust ("Dugaboy", and together with the Claimant Trust, the "Parties"), on the other hand, by and through their respective undersigned counsel.

[1] Highland's last four digits of its taxpayer identification number are (8357). The service address for Highland is 6333 E. Mockingbird Ln., Ste 147 #5045, Dallas, TX 75214.

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RECITALS

WHEREAS, on August 8, 2025, the Claimant Trust filed its *Motion for Order Fixing Allowed Amount of Class Interests* [Bankr. Docket No. 4362] (the "Class 11 Motion") requesting entry of an order fixing the allowed amount of the unvested Class 11 Contingent Claimant Trust Interests (as defined in the Class 11 Motion).

WHEREAS, on September 22, 2025, the Bankruptcy Court entered its *Order Fixing Allowed Amount of Class 11 Interests* [Bankr. Docket No. 4401] (the "Class 11 Order") granting the Class 11 Motion and fixing the allowed amount of the unvested Class 11 Contingent Claimant Trust Interests.

WHEREAS, on October 6, 2025, Dugaboy filed its *Notice of Appeal of Order Fixing Allowed Amount of Class 11 Interests* [Bankr. Docket No. 4423] commencing its appeal of the Class 11 Order to the District Court (the "Appeal"). *See* Case No. 3:25-cv-02724-L.

WHEREAS, on October 23, 2025, Dugaboy filed *Appellant The Dugaboy Investment Trust's Statement of Issues to be Presented and Amended Designation of Items to be Included in the Record on Appeal From the Bankruptcy Court's Order Fixing Allowed Amount of Class 11 Interests* [Bankr. Docket No. 4443], which identified Dugaboy's (a) issues to be presented on Appeal (the "Issues Presented"), and (b) items designated for the record on Appeal ("Dugaboy's Designations").

WHEREAS, on October 29, 2025, the Claimant Trust filed *Appellee's Motion to Strike Items Improperly Designated as Part of the Record on Appeal of Class 11 Order [Docket No. 4401]* [Bankr. Docket No. 4450] (the "Motion to Strike"), seeking entry of an order striking certain items listed in Dugaboy's Designations.

WHEREAS, on December 19, 2025, Dugaboy filed its *Unopposed Motion to Stay and Modify Appellate Briefing Deadlines Pending the Bankruptcy Court's Resolution of Highland's Motion to Strike Items from the Appellate Record* [Dist. Court Docket. No. 19] (the "Motion to Stay").

WHEREAS, on December 23, 2025, the Court granted the Motion to Stay and entered the Order staying all proceedings and briefing deadlines in the Appeal subject to the Bankruptcy Court's ruling on the Motion to Strike. [*See* Dist. Court Docket No. 20] (the "Stay Order"). Pursuant to the Stay Order, the briefing deadlines in the Appeal (the "Briefing Schedule") are as follows: Dugaboy's opening brief (the "Opening Brief") is due 40 days after the entry of the Bankruptcy Court's order on the Motion to Strike; the Claimant Trust's response brief (the "Response") is due 30 days after the filing of the Opening Brief; and Dugaboy's reply brief (the "Reply") is due 14 days after the filing of the Response.

WHEREAS, on January 9, 2026, Dugaboy filed its Opposition to the Motion to Strike [Bankr. Docket No. 4497].

WHEREAS, the Motion to Strike is scheduled for hearing on January 27, 2026. [*See* Docket No. 4494].

WHEREAS, after engaging in good faith, arm's length negotiations, the Claimant Trust and Dugaboy desire to finally resolve the Motion to Strike on the terms set forth below.

NOW, THEREFORE, it is hereby jointly stipulated and agreed as follows:

1. The Parties have agreed that all items in Dugaboy's Designations shall be stricken from the record in the Appeal and replaced with the items identified on **Exhibit A**, attached hereto (the "Record Designations").

2. In light of the Parties' resolution of the Motion to Strike, the Parties have agreed to the following Briefing Schedule:

a. The Opening Brief shall be due 40 days after entry of an order approving this Stipulation;

b. The Response shall be due 30 days after the filing of the Opening Brief;

c. The Reply shall be due 14 days after the filing of the Response.

3. Notwithstanding the above, Highland reserves the right to assert that (a) some or all of the Issues Presented are not properly preserved for Appeal and (b) certain items included in the Record Designations are irrelevant to any issue properly before the District Court in connection with the Appeal.

4. This Stipulation may be executed in counterparts. A facsimile, electronic copy, or photocopy of this Stipulation and the signatures hereto shall have the same effect and may be accepted with the same authority as if it were an original.

5. The Parties agree that the Bankruptcy Court shall retain jurisdiction with respect to all matters arising from or relating to the implementation, interpretation, and enforcement of this Stipulation and any order related thereto.

SO STIPULATED AND AGREED:

Dated: January 19, 2026

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EXHIBIT A

(Record designations)

LIST OF ITEMS TO BE INCLUDED IN
THE RECORD ON THE APPEAL OF THE CLASS 11 ORDER

DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

1. Notice of Appeal for Bankruptcy Case No. 19-34054-sgj11 [Docket No. 4423] filed by Appellant;
2. Bankruptcy Court's *Order Fixing Allowed Amount of Class 11 Interests* [Docket No. 4401];
3. Docket entries kept by the bankruptcy clerk in case no. 19-34054-sgj11;
4. Any opinion, findings of fact, and conclusions of law of the bankruptcy court relating to the issues on appeal, including transcripts of all oral rulings; and
5. Each of the additional documents and items designated below:

Date Filed	Docket No.	Description/Docket Text
2/22/2021	1943	Order confirming the fifth amended chapter 11 plan, as modified and granting related relief (RE: related document(s) 1472 Chapter 11 plan filed by Debtor Highland Capital Management, L.P., 1808 Chapter 11 plan filed by Debtor Highland Capital Management, L.P.). Entered on 2/22/2021 (Okafor, M.)
9/14/2022	3521-5	Claimant Trust Agreement
2/27/2024	4199	Stipulated and Agreed Order resolving (A) HCLOM, Ltd.'s Scheduled claims 3.65 and 3.66; and (B) Highland Capital Management, L.P.'s (1) Objection and (2) Motion for a bad faith finding and an award of attorney's fees against HCLOM, Ltd., and James Dondero in connection therewith (related document #3657, 4176) Entered on 12/27/2024. (Dugan, Sue)
5/19/2025	4216	Motion to compromise controversy with the HMIT Entities. (Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019 and 11 U.S.C. 363 Approving Settlement with the HMIT Entities and Authorizing Actions Consistent Therewith) Filed by Debtor Highland Capital Management, L.P., Other Professional Highland Claimant Trust, Interested Party Highland Litigation Sub-Trust (Attachments: #1 Exhibit A--Proposed Order (Annable, Zachery)
5/19/2025	4217	Declaration re: (Declaration of Gregory V. Demo in Support of Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019 and 11 U.S.C. 363 Approving Settlement with the HMIT Entities and Authorizing Actions Consistent Therewith) filed by Debtor Highland Capital Management, L.P., Other Professional Highland Claimant Trust, Interested Party Highland Litigation Sub-Trust (RE: related document(s) 4216 Motion to compromise controversy with the HMIT Entities. (Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019 and 11 U.S.C. 363 Approving Settlement with the HMIT Entities and Authorizing Actions Consistent Therewith)). (Attachments: #1 Exhibit 1 (Annable, Zachery)
5/19/2025	4217-1	Proposed Settlement Agreement

6/9/2025	4230	Objection to (related document(s): 4216 Motion to compromise controversy with the HMIT Entities. (Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019 and 11 U.S.C. 363 Approving Settlement with the HMIT Entities and Authorizing Actions Consistent Therewith) filed by Debtor Highland Capital Management, L.P., Other Professional Highland Claimant Trust, Interested Party Highland Litigation Sub-Trust) filed by Partner Dugaboy Investment Trust. (Hesse, Gregory)
6/20/2025	4251	Exhibit List for the June 25, 2025 Hearing filed by Partner Dugaboy Investment Trust (RE: related document(s) 4230 Objection). (Lang, Michael)
6/20/2025	4252	Witness List for the June 25, 2025 Hearing filed by Partner Dugaboy Investment Trust (RE: related document(s) 4230 Objection). (Lang, Michael)
6/20/2025	4255	Exhibit 105 - Promissory Note $24,268,621.69 dated May 31, 2017 [HCMLPHMIT00001327-HCMLPHMIT00001328]
		Exhibit 106 - The Dugaboy Investment Trust Offering of $1817M Promissory Note Owed to HCMLP February 2024 [HCMLPHMIT00002323-HCMLPHMIT00002327]
		Exhibit 107 - Participation Agreement for Par/Near Par Trades dated July 18, 2024 [HCMLPHMIT00002594-HCMLPHMIT00002600]
		Exhibit 108 - $18.5mm Dugaboy Note Attempted Sale – Process Update [HCMLPHMIT00002601]
		Exhibit 109 - The Dugaboy Investment Trust $18.17M Promissory Note Owed to HCMLP February 2024 [HCMLPHMIT00002602-HCMLPHMIT00002607]
		Exhibit 110 - The Dugaboy Investment Trust $18.17M Promissory Note Owed to HCMLP February 2024 [HCMLPHMIT00002608-HCMLPHMIT00002630]
		Exhibit 111 - Highland Claimant Trust Recommended Dugaboy Note Contribution dated June 7, 2024 [HCMLPHMIT00002631-HCMLPHMIT00002636]
		Exhibit 112 - Email from D. Klos to DC Sauter dated May 23, 2024 [HCMLPHMIT00002637-HCMLPHMIT00002639]
		Exhibit 113 - Highland Capital Management, L.P. Consolidated Financial Statement and Supplemental Information dated December 31, 2018

		[HCMLPHMIT00002548-HCMLPHMIT00002593]
		Exhibit 114 - Fourth Amended and Restated Agreement of Limited Partnership of Highland Capital Management, L.P. dated December 24, 2015 [HCMLPHMIT00002641-HCMLPHMIT00002676]
		Exhibit 115 - 2018 Tax Return for Highland Capital Management, LP (sig page, p. 1 of return, p. 1 of each partners' Schedule K-1 (Strand, Okada, MAP 1, MAP 2, Dugaboy, HMIT) [HCMLPHMIT00001332; HCMLPHMIT00001336; HCMLPHMIT00001414; HCMLPHMIT00001419; HCMLPHMIT00001424; HCMLPHMIT00001429; HCMLPHMIT00001434; HCMLPHMIT00001439]
		Exhibit 116 - 2019 Tax Return for Highland Capital Management, LP (sig page, p. 1 of return, p. 1 of each partners' Schedule K-1 (Strand, Okada, MAP 1, MAP 2, Dugaboy, HMIT) [HCMLPHMIT00001726; HCMLPHMIT00001766; HCMLPHMIT00001865; HCMLPHMIT00001870; HCMLPHMIT00001875; HCMLPHMIT00001880; HCMLPHMIT00001885; HCMLPHMIT00001890]
		Exhibit 117 - Monthly Operating Report – FINAL November 2019 [HCMLPHMIT00001329]
		Exhibit 118 - Hunter Mountain Note Receivable October 15, 2019 [HCMLPHMIT00001330]
6/23/2025	4275	Omnibus Reply to (related document(s): 4229 Objection filed by Creditor Patrick Daugherty, 4230 Objection filed by Partner Dugaboy Investment Trust, 4231 Objection filed by Interested Party The Dallas Foundation, Interested Party Crown Global Life Insurance, Ltd) filed by Debtor Highland Capital Management, L.P., Other Professional Highland Claimant Trust, Interested Party Highland Litigation Sub-Trust. (Annable, Zachery)
6/25/2025	4296	The portions of the Transcript of hearing held June 25, 2025, before Chief Judge Stacey C.G. Jernigan [Docket No. 4296] re: Motion for Entry of an Order Approving Settlement with HMIT Entities (4216) [Docket No. 4297] designated as follows: o 14:14–15:3; 16:4–13; 20:12–20; 43:17–18; 47:1–12; 50:16–19; 51:16–52:5; 57:10–18; 62:7–11; 64:13–20; 71:11–21; 72:5–13; 79:19–80:21; 81:1–82:19; 83:6–15;

		86:21–25; 87:11–88:9; 92:2–19; 93:8–18; 93:19–96:14; 96:15–97:11; 102:8–106:6; 106:17–107:1; 107:9–108:10; 110:10–111:6; 121:10–124:25; 128:24–130:19; 130:20–134:9; 228:11–229:3; 238:25–239:2; 239:14–23; 245:24–248:5; 249:21–250:1; 250:21–252:21; 257:17–258:11.
6/30/2025	4297	Order approving settlement between the Highland Entities and the HMIT Entities and authorizing actions consistent therewith (related document # 4216) Entered on 6/30/2025. (Okafor, M.)
8/8/2025	4362	Motion to allow claims (Motion for Order Fixing Allowed Amount of Class 11 Interests) Filed by Other Professional Highland Claimant Trust (Attachments: # 1 Exhibit A—Proposed Order) (Annable, Zachery)
8/15/2025	4371	Notice of hearing filed by Other Professional Highland Claimant Trust (RE: related document(s) 4362 Motion to allow claims (Motion for Order Fixing Allowed Amount of Class 11 Interests) Filed by Other Professional Highland Claimant Trust (Attachments: # 1 Exhibit A--Proposed Order)). Hearing to be held on 9/18/2025 at 02:30 PM at https://us-courts.webex.com/meet/jerniga for 4362, (Annable, Zachery)
9/8/2025	4384	Response opposed to (related document(s): 4362 Motion to allow claims (Motion for Order Fixing Allowed Amount of Class 11 Interests) filed by Other Professional Highland Claimant Trust) filed by Creditor The Dugaboy Investment Trust. (Harper, Geoffrey)
9/15/2025	4393	Reply to (related document(s): 4384 Response filed by Creditor The Dugaboy Investment Trust) (Reply in Support of Motion for Order Fixing Allowed Amount of Class 11 Interests) filed by Other Professional Highland Claimant Trust. (Annable, Zachery)
9/15/2025	4394	Amended Witness and Exhibit List (Highland Claimant Trust's Witness and Exhibit List with Respect to Hearing to Be Held on September 18, 2025) filed by Other Professional Highland Claimant Trust (RE: related document(s) 4362 Motion to allow claims (Motion for Order Fixing Allowed Amount of Class 11 Interests)). (Attachments: # 1 Exhibit 1 # 2 Exhibit 2 # 3 Exhibit 3 # 4 Exhibit 4 # 5 Exhibit 5 # 6 Exhibit 6 # 7 Exhibit 7 # 8 Exhibit 8 # 9 Exhibit 9 # 10 Exhibit 10) (Annable,

		Zachery)
9/15/2025	4395	Witness and Exhibit List for Hearing to be Held on September 18, 2025 filed by Partner Dugaboy Investment Trust (RE: related document(s) 4362 Motion to allow claims (Motion for Order Fixing Allowed Amount of Class 11 Interests)). (Harper, Geoffrey)
9/18/2025	4398	Court admitted exhibits date of hearing September 18, 2025 (RE: related document(s) 4362 Motion to allow claims (Motion for Order Fixing Allowed Amount of Class 11 Interests) filed by Other Professional Highland Claimant Trust (Court Admitted Debtors/Highland Capital Mgmt., L.P. exhibits #1, #2, #3, #4, #5, #6, #7, #8, #9 & #10 offered by attorney John Morris, found at doc. #4394.) (Edmond, Michael)
9/22/2025	4401	Order Fixing Allowed Amount of Class 11 Interests
9/22/2025	4403	Transcript regarding Hearing Held 09/18/2025 before Judge Stacey G.C. Jernigan (80 pages) RE: Motion for Order Fixing Allowed Amount of Class 11 Interests (#4362). THIS TRANSCRIPT WILL BE MADE ELECTRONICALLY AVAILABLE TO THE GENERAL PUBLIC 90 DAYS AFTER THE DATE OF FILING. TRANSCRIPT RELEASE DATE IS 12/22/2025. Until that time the transcript may be viewed at the Clerk's Office or a copy may be obtained from the official court transcriber. Court Reporter/Transcriber Kathy Rehling, kathyrehlingtranscripts@gmail.com, Telephone number 972-786-3063. (RE: related document(s) 4402 Hearing held on 9/18/2025. (RE: related document(s) 4362 Motion to allow claims (Motion for Order Fixing Allowed Amount of Class 11 Interests) filed by Other Professional Highland Claimant Trust (Appearances: J. Morris for Reorganized Debtor; G. Harper for Dugaboy. Evidentiary hearing. Motion approved. Counsel to upload order.)). Transcript to be made available to the public on 12/22/2025. (Rehling, Kathy)