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**COUNSEL FOR CLO HOLDCo, LTD.**

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

**In re:** § **Case No. 19-34054-sgj11**  
§  
**HIGHLAND CAPITAL MANAGEMENT,** §  
**L.P.,** § **Chapter 11**  
§  
**Debtor** §

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**OFFICIAL COMMITTEE OF UNSECURED CREDITORS,** §  
§  
§

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<b>Plaintiff,</b>	§	<b>Adversary No. 20-03195</b>
	§	
<b>vs.</b>	§	
	§	
<b>CLO HOLDCO, LTD., CHARITABLE</b>	§	
<b>DAF HOLDCO, LTD., CHARITABLE</b>	§	
<b>DAF FUND, LP, HIGHLAND DALLAS</b>	§	
<b>FOUNDATION, INC., THE DUGABOY</b>	§	
<b>INVESTMENT TRUST, GRANT JAMES</b>	§	
<b>SCOTT III IN HIS INDIVIDUAL</b>	§	
<b>CAPACITY, AS TRUSTEE OF THE</b>	§	
<b>DUGABOY INVESTMENT TRUST, AND</b>	§	
<b>AS TRUSTEE OF THE GET GOOD</b>	§	
<b>NONEXEMPT TRUST, AND JAMES D.</b>	§	
<b>DONDERO,</b>	§	
	§	
<b>Defendants.</b>	§	

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**EX PARTE CONSENT MOTION FOR ADMINISTRATIVE ORDER EFFECTUATING STIPULATION AND ORDER**

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CLO HoldCo, Ltd. (“CLO HoldCo”)<sup>1</sup> files this *Ex Parte Consent Motion for Administrative Order Effectuating Stipulation and Order* (the “Motion”) and respectfully requests that the Court enter an order substantially in the form submitted herewith (the ‘Proposed Order’) effectuating the terms of that *Stipulation and Order* [Dkt. No. 92] (“Stipulation and Order”) so that the Clerk’s Office will release the Registry Funds (as defined in the Stipulation and Order) to CLO HoldCo as contemplated by the Stipulation and Order.

The Proposed Order contains language that, notwithstanding the Stipulation and Order, the Clerk’s Office requires before it will disburse the Registry Funds to CLO HoldCo. The Proposed

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<sup>1</sup> CLO HoldCo has filed a *Motion to Withdraw the Reference* [Dkt. No. 24] (the “Motion to Withdraw the Reference”), in part based upon CLO HoldCo’s right to a jury trial and to Article III adjudication of any claims asserted by the Plaintiff against CLO HoldCo. Nothing in this Motion shall be construed or deemed to be a waiver of any right to jury trial and Article III adjudication.

Order does not change the terms of the Stipulation and Order. Counsel for CLO HoldCo has conferred with counsel for the Plaintiff regarding the Motion and Proposed Order and the Plaintiff does not object to the relief requested in the Motion or entry of the Proposed Order.

**CONCLUSION**

For the reasons set forth herein, CLO HoldCo respectfully requests that the Court grant the present Motion enter the Proposed Order directing the disburse of the Registry Funds to CLO HoldCo.

**Respectfully submitted:**

**KELLY HART PITRE**

*/s/ Louis M. Phillips*

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**CERTIFICATE OF CONFERENCE**

I, undersigned counsel, hereby certify that on October 14, 2021, I conferred with counsel for the Plaintiff regarding the relief requested herein and that the Plaintiff consents to the relief requested herein.

*/s/ Louis M. Phillips*

Louis M. Phillips

**CERTIFICATE OF SERVICE**

I, undersigned counsel, hereby certify that a true and correct copy of the above and foregoing document and all attachments thereto were sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case on this October 14, 2021.

*/s/ Louis M. Phillips*

Louis M. Phillips

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

**In re:** § **Case No. 19-34054-sgj11**  
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**OFFICIAL COMMITTEE OF** §  
**UNSECURED CREDITORS,** §  
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**Plaintiff,** § **Adversary No. 20-03195**  
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**vs.** §  
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**CLO HOLDCO, LTD., CHARITABLE** §  
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**AS TRUSTEE OF THE GET GOOD** §  
§

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**NONEXEMPT TRUST, AND JAMES D. §  
DONDERO, §  
§**

**Defendants.**

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**ORDER EFFECTUATING STIPULATION AND ORDER AND  
DISBURSING REGISTRY FUNDS TO CLO HOLDCO**

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Upon consideration of CLO HoldCo, LTD.'s ("**CLO HoldCo**") *Ex Parte Consent Motion for Administrative Order Effectuating Stipulation and Order* (the "**Motion**"),

IT IS HEREBY ORDERED that:

1. The Motion is GRANTED.
2. The Registry Funds, which include distributions from the liquidation of certain funds including (i): (a) Highland Dynamic Income Fund, L.P., (b) Highland Dynamic Income Fund, Ltd., and (c) Highland Dynamic Income Master Fund, L.P. (collectively, "**Dynamic**"); and (ii) (a) Highland Argentina Regional Opportunity Fund, L.P., (b) Highland Argentina Regional Opportunity Fund, Ltd., and (c) Highland Argentina Regional Opportunity Master Fund, L.P. (collectively, "**AROF**") due to CLO HoldCo (previously referred to from time to time as CLOH) as referenced in the *Stipulation and Order* [Dkt. No. 92] as ordered in the underlying main bankruptcy case, Case No. 19-34054 to be placed in the Registry of the Court, including the principal amount plus any and all accrued interest, belonging to CLO HoldCo are to be disbursed from the Registry of the Court to:

Payee: CLO HoldCo, Ltd.,

Payee Address: 2101 Cedar Springs Road  
Suite 1200  
Dallas, TX 75201.  
Attn: Mark Patrick

### END OF ORDER ###