



This stipulation (the “Stipulation”) is made and entered into between Highland Capital Management, L.P., the reorganized debtor in the above-referenced bankruptcy case (“Highland”), and the Highland Claimant Trust (the “Trust,” and together with Highland, the “Defendants”), on the one hand, and The Dugaboy Investment Trust (“Dugaboy”) and Hunter Mountain Investment Trust (“HMIT,” and together with Dugaboy, the “Plaintiffs,” and collectively with the Defendants, the “Parties”), on the other hand, by and through their respective undersigned counsel.

### RECITALS

WHEREAS, on April 20, 2023, James Dondero and certain of his affiliates (collectively, the “Dondero Parties”) filed their *Motion to Stay and to Compel Mediation* [Bankr. Docket No. 3752] (the “Mediation Motion”).

WHEREAS, on May 10, 2023, Plaintiffs commenced the above-captioned adversary proceeding (the “Action”) against Highland and the Trust by filing their *Complaint to (I) Compel Disclosures About the Assets of the Highland Claimant Trust and (II) Determine (A) Relative Value of Those Assets, and (B) Nature of Plaintiffs’ Interests in the Claimant Trust* [Docket No. 1] (the “Complaint”).

WHEREAS, on August 2, 2023, the Mediation Motion was granted, in part [Bankr. Docket No. 3897] (the “Mediation Order”). Pursuant to the Mediation Order, the Action was stayed until the Mediator<sup>2</sup> filed his Report with the Court stating whether a settlement has been reached.

WHEREAS, on November 7, 2023, the Report was filed with the Court stating that no settlement was reached. *See Joint Notice of Mediation Report* [Bankr. Docket No. 3964].

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<sup>2</sup> Capitalized terms not defined herein shall take on the meanings ascribed thereto in the Mediation Order.

WHEREAS, in compliance with the Mediation Order, and subject to the Bankruptcy Court’s approval, the Parties have conferred in good faith to adopt a scheduling order (the “Proposed Joint Scheduling Order”), as specifically set forth below.

NOW, THEREFORE, it is hereby stipulated and agreed, and upon approval of this Stipulation by the Court, it shall be SO ORDERED:

1. The Parties agree to the following Proposed Joint Scheduling Order:

<i>Proposed Joint Scheduling Order</i>	
<u>Event</u>	<u>Deadline</u>
1. Defendants File their Motion to Dismiss Complaint	November 22, 2023
2. Plaintiffs File their Response to Motion to Dismiss	December 22, 2023
3. Defendants File their Reply in Support of Motion to Dismiss	January 12, 2024
4. Hearing on Motion to Dismiss (via Webex)	On or after January 22, 2024

2. If approved by the Court, the Proposed Joint Scheduling Order shall only be modified in a writing signed by the Parties or upon the entry of an order of the Court entered upon notice to the Parties.

3. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of this Stipulation.

*[Remainder of Page Intentionally Blank]*

Dated: November 13, 2023

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*/s/ Zachery Z. Annable*

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