



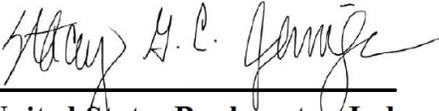
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed November 20, 2023


United States Bankruptcy Judge

**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.)	
DUGABOY INVESTMENT TRUST and HUNTER MOUNTAIN INVESTMENT TRUST,)	Adv. Pro. No. 23-03038-sgj
Plaintiffs,)	
vs.)	
HIGHLAND CAPITAL MANAGEMENT, L.P. and HIGHLAND CLAIMANT TRUST,)	
Defendants.)	

**ORDER APPROVING
STIPULATION AND PROPOSED SCHEDULING ORDER**

¹ The Reorganized Debtor's last four digits of its taxpayer identification number are (8357). The headquarters and service address for the Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.



Having considered the *Stipulation and Proposed Scheduling Order* [Docket No. 7] (the “Stipulation”), a copy of which is attached as **Exhibit A**, filed by 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,

IT IS HEREBY ORDERED THAT:

1. The Stipulation is **APPROVED**.
2. The Stipulation shall become effective immediately upon entry of this Order.
3. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of the Stipulation and this Order.

###End of Order###

EXHIBIT A

PACHULSKI STANG ZIEHL & JONES LLP
 Jeffrey N. Pomerantz (CA Bar No.143717) (*admitted pro hac vice*)
 John A. Morris (NY Bar No. 2405397) (*admitted pro hac vice*)
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*Counsel for Highland Capital Management, L.P.
 and the Highland Claimant Trust*

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

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In re:)	Chapter 11
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Reorganized Debtor.)	
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Plaintiffs,)	
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vs.)	
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HIGHLAND CAPITAL MANAGEMENT, L.P. and HIGHLAND CLAIMANT TRUST,)	
)	
Defendants.)	
)	

STIPULATION AND PROPOSED SCHEDULING ORDER

¹ The Reorganized Debtor’s last four digits of its taxpayer identification number are (8357). The headquarters and service address for the Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

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 Mediator² 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].

² 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

PACHULSKI STANG ZIEHL & JONES LLP

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-and-

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*Counsel for The Dugaboy Investment Trust
and the Hunter Mountain Investment Trust*

Dugaboy Investment Trust,
Plaintiff
Highland Capital Management, L.P.,
Defendant

Adv. Proc. No. 23-03038-sgj

CERTIFICATE OF NOTICE

District/off: 0539-3

User: admin

Page 1 of 2

Date Rcvd: Nov 21, 2023

Form ID: pdf001

Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 23, 2023:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustregion06.da.ecf@usdoj.gov	Nov 21 2023 21:54:00	United States Trustee, 1100 Commerce Street, Room 976, Dallas, TX 75242-0996
ust	+ Email/Text: ustregion07.au.ecf@usdoj.gov	Nov 21 2023 21:54:00	United States Trustee - AU12, United States Trustee, 903 San Jacinto Blvd, Suite 230, Austin, TX 78701-2450

TOTAL: 2

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 23, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 21, 2023 at the address(es) listed below:

Name	Email Address
Deborah Rose Deitsch-Perez	on behalf of Plaintiff Dugaboy Investment Trust deborah.deitschperez@stinson.com patricia.tomasky@stinson.com
Deborah Rose Deitsch-Perez	on behalf of Plaintiff Hunter Mountain Investment Trust deborah.deitschperez@stinson.com patricia.tomasky@stinson.com
Gregory V. Demo	on behalf of Defendant Highland Capital Management L.P. gdemo@pszjlaw.com,

District/off: 0539-3

User: admin

Page 2 of 2

Date Rcvd: Nov 21, 2023

Form ID: pdf001

Total Noticed: 2

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Hayley R Winograd

on behalf of Defendant Highland Claimant Trust hayleywinograd@gmail.com

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John A Morris

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John A Morris

on behalf of Defendant Highland Claimant Trust jmorris@pszjlaw.com

Michael P. Aigen

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Michael P. Aigen

on behalf of Plaintiff Dugaboy Investment Trust michael.aigen@stinson.com

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TOTAL: 14