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 the Highland Claimant Trust*

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

	§	
In re:	§	Chapter 11
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	Case No. 19-34054-sgj11
	§	
Reorganized Debtor.	§	
	§	
DUGABOY INVESTMENT TRUST and	§	
HUNTER MOUNTAIN INVESTMENT TRUST,	§	
	§	
Plaintiffs,	§	Adv. Pro. No. 23-03038-sgj
	§	
vs.	§	
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P. and	§	
HIGHLAND CLAIMANT TRUST,	§	
	§	
Defendants.	§	
	§	

**STIPULATION AND PROPOSED SCHEDULING ORDER**

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 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 November 22, 2023, Defendants filed their *Motion to Dismiss Complaint to (1) 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. 13] (the “Motion to Dismiss”).

WHEREAS, the Parties previously agreed to a Stipulation and Proposed Scheduling Order [Docket No. 12] whereby the Parties agreed to a scheduling order regarding briefing on the Motion to Dismiss.

WHEREAS, the Parties have agreed to extend the deadlines related to the Motion to Dismiss by one week and amend the Stipulation and Proposed 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:

<b>Event</b>	<b>Deadline</b>
Plaintiffs file their Response to Motion to Dismiss	December 29, 2023
Defendants file their Reply in Support of Motion to Dismiss	January 19, 2024
Hearing on Motion to Dismiss (via WebEx)	On or after January 29, 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.

Respectfully submitted,

**STINSON LLP**

*/s/ Deborah Deitsch-Perez*

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In re:	§	
	§	Chapter 11
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Reorganized Debtor.	§	
DUGABOY INVESTMENT TRUST and	§	
HUNTER MOUNTAIN INVESTMENT TRUST,	§	
	§	
Plaintiffs,	§	Adv. Pro. No. 23-03038-sgj
	§	
vs.	§	
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P. and	§	
HIGHLAND CLAIMANT TRUST,	§	
	§	
Defendants.	§	
	§	

**ORDER GRANTING STIPULATION AND PROPOSED SCHEDULING ORDER**

Having considered the Stipulation and Proposed Scheduling Order [Docket No. \_\_\_\_] (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 ##**