



**APPELLANTS THE DUGABOY INVESTMENT TRUST AND PATRICK DAUGHERTY’S UNOPOSED MOTION TO EXTEND BRIEFING DEADLINES ON APPELLEES’ MOTION TO DISMISS APPEAL AS MOOT**

Pursuant to Federal Rule of Civil Procedure 6(b)(1) and for good cause shown, Appellants The Dugaboy Investment Trust and Patrick Daugherty (“Appellants”) respectfully ask the Court to extend the briefing deadlines for Appellees Highland Capital Management, L.P., the Highland Claimant Trust, and Marc S. Kirschner as Litigation Trustee of the Highland Litigation Sub-Trust (“Appellees”) Motion to Dismiss Appeal as Moot, which was filed on August 12, 2025 as Docket No. 21. Specifically, Appellants ask the Court to add fourteen (14) days to each of Appellants’ response deadline and Appellees’ reply deadline, making the new deadlines September 2, 2025 for Appellants’ Responses and September 23, 2025 for Appellees’ Reply. In support, Appellants would show the Court as follows:

1. Appellees filed their Motion to Dismiss on August 12, 2025. Under Federal Bankruptcy Rule of Procedure 8013(a)(3), Appellants have seven (7) days to respond after being served with the Motion, and Appellees have seven (7) days to reply after being served with Appellants’ responses. This makes the current deadlines August 19, 2025 for Appellants’ responses and August 26, 2025 for Appellees’ reply.
2. Appellants propose an extension of an additional fourteen (14) days for each side, which would result in new deadlines of September 2, 2025 for Appellants’ Responses and September 23, 2025 for Appellees’ Reply.
3. Appellees do not oppose this Motion.
4. Under Fed. R. Civ. P. 6(b)(1)(a), because this Motion is filed before the expiration of the existing August 19 deadline, Appellants need only make a showing of good cause and are not required to establish excusable neglect.

5. Ample good cause exists for granting the extension sought herein. Lead Counsel Dugaboy, Geoffrey S. Harper, has experienced a personal emergency. Counsel have numerous emergent court deadlines in other proceedings. Furthermore, the legal and factual issues raised by Appellees' Motion to Dismiss Appeal as Moot (Docket No. 21) are complicated and require more time to properly brief.
6. Appellants make this request in good faith and not for the purpose of delay. Granting the requested extensions will not prejudice Appellees, because they will receive an equal amount of extra time for their reply. Furthermore, Appellees have expressed a strong preference

WHEREFORE, Appellants respectfully request that Appellants' deadline to respond to the Motion to Dismiss be extended to September 2, 2025, and Appellees' deadline to reply be extended to September 23, 2025.

Dated: August 19, 2025

Respectfully submitted,

**WINSTON & STRAWN LLP**

By: /s/ Geoffrey S. Harper

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***Counsel for Appellant Patrick Daugherty***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on August 19, 2025, a true and correct copy of this document was served electronically via the Court's CM/ECF system to the parties registered or otherwise entitled to receive electronic notices in this case.

/s/ Geoffrey S. Harper  
Geoffrey S. Harper

**CERTIFICATE OF CONFERENCE**

I certify that on August 19, 2025, I conferred with Counsel to Highland Capital Management, L.P. and the Highland Claimant Trust and they do not oppose the relief requested in this Motion.

/s/ Geoffrey S. Harper  
Geoffrey S. Harper

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

In re: HIGHLAND CAPITAL MANAGEMENT, L.P. Reorganized Debtor.	Chapter 11 Case No. 19-34054-sgj11
THE DUGABOY INVESTMENT TRUST and PATRICK DAUGHERTY,  Appellants,  v. HIGHLAND CAPITAL MANAGEMENT, L.P. <i>et al.</i> ,  Appellees.	Case No. 3:25-cv-01876-K

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**ORDER GRANTING MOTION TO EXTEND BRIEFING DEADLINES**

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Having considered *Appellants’ Unopposed Motion to Extend Briefing Deadlines on Appellees’ Motion to Dismiss Appeal as Moot (Docket No. 21)* (the “**Motion**”)<sup>1</sup> the Court hereby finds and concludes that good cause exists to grant the requested extensions pursuant to Federal Rule of Civil Procedure 6(b)(1). Accordingly, it is hereby **ORDERED THAT**:

1. The Motion To Extend Briefing Deadlines is **GRANTED**.
2. Appellants’ responses to Appellees’ Motion to Dismiss (Docket No. 21) shall be filed no later than September 2, 2025.

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<sup>1</sup> Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Motion.

3. Appellees' reply in support of their Motion to Dismiss (Docket No. 21), if any, shall be filed no later than September 23, 2025.

**IT IS SO ORDERED** this \_\_\_\_ day of August, 2025.

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The Honorable Ed Kinkeade  
United States District Judge