

ENTERED

Harry G. C. Jones
United States Bankruptcy Judge



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**ORDER (A) DENYING PATRICK DAUGHERTY’S MOTION TO DISMISS AND (B)
GRANTING HIGHLAND CAPITAL MANAGEMENT, L.P.’S CROSS MOTION FOR
RELIEF FROM A FINAL ORDER PURSUANT TO BANKRUPTCY RULE 9024**

Having considered (a) the *Motion to Dismiss* [Adv. Docket No. 5] (the “Motion”) filed by Patrick Daugherty (“Mr. Daugherty”); (b) the (A) *Objection to Patrick Daugherty’s Motion to Dismiss*, and (B) *Cross Motion for Relief from a Final Order Pursuant to Bankruptcy Rule 9024* [Adv. Docket Nos. 9 and 10] (the “Objection” and the “Cross Motion,” respectively)² filed by Highland Capital Management, L.P. (“Highland”); (c) the *Declaration of John A. Morris in Support of Highland Capital Management, L.P.’s (A) Objection to Patrick Daugherty’s Motion to Dismiss*, and (B) *Cross Motion for Relief from a Final Order Pursuant to Bankruptcy Rule 9024* and the exhibits annexed thereto submitted in support of Highland’s Objection and Cross Motion [Adv. Docket No. 11]; (d) *Patrick Daugherty’s (A) Reply in Support of His Motion to Dismiss* and (B) *Response to Plaintiff’s Cross Motion for Relief from a Final Order Pursuant to Bankruptcy Rule 9024* [Adv. Docket No. 15]; (e) *Highland Capital Management, L.P.’s Reply in Further Support of Its Cross Motion for Relief from a Final Order Pursuant to Bankruptcy Rule 9024* [Adv. Docket No. 16]; (f) the exhibits filed by Mr. Daugherty at Adv. Docket No. 19; and (g) the arguments presented by counsel during the hearing held on September 4, 2025 (the “Hearing”), the Court finds and concludes that: (i) the Court has jurisdiction to consider the Motion, the Objection, and the Cross Motion under 28 U.S.C. §§ 157 and 1334 and the retention of jurisdiction provisions of Article XI of the Plan; (ii) consideration of the Motion, the Objection, and the Cross Motion is a core proceeding under 28 U.S.C. § 157(b)(2); (iii) venue is proper in this district under 28 U.S.C. §§ 1408 and 1409; and (iv) the legal and factual bases set forth in the Objection and the Cross Motion establish good cause for the relief granted herein.

² Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Objection and Cross Motion.

Accordingly, for the reasons set forth on the record during the Hearing, it is hereby **ORDERED**

THAT:

1. The Motion is **DENIED** in its entirety.
2. The Cross Motion is **GRANTED** in its entirety.
3. Pursuant to Bankruptcy Rule 9024(b)(6), the Settlement Order is hereby modified

to provide that the Stay Provision is stricken from the Settlement Agreement.

4. The Court shall retain exclusive jurisdiction to hear and determine all matters and disputes arising from the interpretation and implementation of this Order.

###End of Order###

Highland Capital Management, L.P.,
Plaintiff
Daugherty,
Defendant

Adv. Proc. No. 25-03055-sgj

CERTIFICATE OF NOTICE

District/off: 0539-3

User: admin

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Date Rcvd: Sep 05, 2025

Form ID: pdf001

Total Noticed: 5

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 Sep 07, 2025:

Recip ID	Recipient Name and Address
dft	+ Patrick Hagaman Daugherty, 3621 Cornell Avenue, Suite 830, Dallas, TX 75205-2818

TOTAL: 1

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: ustpreion06.da.ecf@usdoj.gov	Sep 05 2025 22:03:00	United States Trustee, 1100 Commerce Street, Room 976, Dallas, TX 75242-0996
ust	+ Email/Text: ustpreion07.au.ecf@usdoj.gov	Sep 05 2025 22:03:00	United States Trustee - AU12, United States Trustee, 903 San Jacinto Blvd, Suite 230, Austin, TX 78701-2450
ust	+ Email/Text: USTPRegion07.SN.ECF@usdoj.gov	Sep 05 2025 22:03:00	United States Trustee - SA12, US Trustee's Office, 615 E Houston, Suite 533, San Antonio, TX 78205-2055
ust	+ Email/Text: ustpreion07.au.ecf@usdoj.gov	Sep 05 2025 22:03:00	United States Trustee - WA12, United States Trustee, 903 San Jacinto Blvd, Suite 230, Austin, TX 78701-2450

TOTAL: 4

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: Sep 07, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

District/off: 0539-3

User: admin

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Date Rcvd: Sep 05, 2025

Form ID: pdf001

Total Noticed: 5

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 5, 2025 at the address(es) listed below:

Name	Email Address
Andrew K. York	on behalf of Defendant Patrick Hagaman Daugherty dyork@grayreed.com slangley@grayreed.com
Melissa S. Hayward	on behalf of Plaintiff Highland Capital Management L.P. MHayward@HaywardFirm.com, mholmes@HaywardFirm.com
Zachery Z. Annable	on behalf of Plaintiff Highland Capital Management L.P. zannable@haywardfirm.com, mholmes@haywardfirm.com

TOTAL: 3