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Counsel for Appellant The Dugaboy Investment Trust

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

In re:)	Chapter 11
HIGHLAND CAPITAL)	Case No. 19-34054-sgj11
MANAGEMENT, L.P.,)	
Reorganized Debtor.)	
)	
THE DUGABOY INVESTMENT)	
TRUST,)	
)	
Appellant,)	Case No. 3:25-cv-01876-K
v.)	
HIGHLAND CAPITAL)	
MANAGEMENT, L.P,)	
et al.,)	
Appellees.)	
)	

**APPELLANT THE DUGABOY INVESTMENT TRUST’S NOTICE OF
 COMPLIANCE WITH COURT’S ORDER REGARDING
 SUPPLEMENTAL CERTIFICATE OF CONFERENCE (Dkt. 40)**



Pursuant to this Court's Order of October 25, 2025 (Dkt. 40), Appellant Dugaboy respectfully files this Supplemental Certificate of Conference reporting the positions of all parties on Dugaboy's October 24, 2025 Motion to Consolidate Proceedings and Extend Related Deadlines (Dkt. 39).

Original Certificate of Conference (filed with Dkt. 39 on October 24, 2025):

Pursuant to Local Civil Rule 7.1(b), I certify that the undersigned first had discussions more than two months ago about consolidating the instant appeals with Highland counsel John Morris, who indicated by email on August 13, 2025 that Highland opposed consolidation (*see* Exhibit H). On October 20 and 21, 2025, Dugaboy counsel Mike Gaddis exchanged emails with Mr. Morris to ask if Highland would oppose the instant Motion. Mr. Morris asked for more time to consider the issue. The undersigned and Mr. Gaddis had a phone conference with Mr. Morris early this morning (October 23, 2025) but were unable to reach agreement. The call ended with Mr. Morris saying he would get back to us today, but it is now 5:00 p.m. and we have heard nothing further from Highland counsel. Because the issue is pressing and the hour is late, Dugaboy concludes that Highland has not changed its view on consolidation and therefore opposes the relief requested in this Motion.

/s/ Geoffrey S. Harper
Geoffrey S. Harper

Supplemental Certificate of Conference:

Pursuant to Local Civil Rule 7.1(b) and this Court's October 25, 2025 Order, the undersigned certifies that Dugaboy counsel Mike Gaddis has conferred with counsel for Appellee Highland Capital and Appellant Patrick Daugherty and received the following responses:

Appellee Highland Capital opposes the Motion to Consolidate.

Appellant Daugherty does not oppose consolidating Dugaboy's appeal of the

Highland/HMIT settlement order at issue in this case (3:25-cv-01876-K) with Dugaboy's appeal of the order denying Dugaboy's motion to stay that settlement order (3:25-cv-02072-S, currently before Judge Scholer). Mr. Daugherty is also open to discussing a briefing schedule if those two appeals are consolidated. However, Mr. Daugherty opposes consolidation with the other two appeals (3:25-cv-02579-B and 3:25-cv-02724-L, currently before Judges Boyle and Lindsay respectively).

/s/ Geoffrey S. Harper
Geoffrey S. Harper

Dated: October 27, 2025

Respectfully submitted,

WINSTON & STRAWN LLP

By: /s/ Geoffrey S. Harper

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CERTIFICATE OF SERVICE

I certify that on October 27, 2025, a 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