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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,	)	
v.	)	Case No. 3:25-cv-01876-K
HIGHLAND CAPITAL	)	
MANAGEMENT, L.P,	)	
et al.,	)	
Appellees.	)	

**DUGABOY'S UNOPPOSED MOTION TO STAY APPELLATE BRIEFING  
DEADLINES PENDING COURT'S RULING ON MOTION TO  
CONSOLIDATE OR MOTION TO DISMISS**



Pursuant to Federal Rule of Bankruptcy Procedure 9006(b)(1)(A) and for the sake of judicial economy, Appellant The Dugaboy Investment Trust (“Dugaboy” or “Appellant”) respectfully asks this Court to stay the appellate briefing deadlines<sup>1</sup> in the above-captioned matter pending this Court’s resolution of either (1) Dugaboy’s pending *Motion to Consolidate Proceedings* (Dkt. 39) or (2) Appellee Highland Capital’s pending *Motion to Dismiss* (Dkt. 21). Appellee Highland Capital does not oppose the relief requested in this Motion, and Appellant Patrick Daugherty is likewise unopposed.

Good cause exists under Rule 9006(B)(1)(A) to grant the requested stay because the contents and arguments of both parties’ appellate briefs—not to mention the underlying record—will be very different depending on when and how the Court resolves the pending motions. For example, it would be wasteful and pointless for Dugaboy to write the opening brief currently due on Wednesday, November 12, 2025 to address the issues in this proceeding (No. 25-1876-K) in its current form as a standalone appeal, only to tear up that brief and start over if the Court grants Dugaboy’s motion to consolidate the four appeals into a single case with a single consolidated briefing cycle and a single consolidated record. *See* Dkt. 39 at 10.

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<sup>1</sup> Pursuant to this Court’s order dated October 8, 2025 (Dkt. 38), the current deadlines are November 12, 2025 for Appellants’ Opening briefs, December 17, 2025 for Appellees’ Response, and January 7, 2026 for Appellants’ Replies. The Parties previously asked for a thirty-day extension of the appellate briefing deadlines, which the Court granted in its October 8, 2025 order (Dkt. 38).

Good cause also exists because Dugaboy makes this request well in advance of the first appellate briefing deadline it seeks to alter (November 12, 2025). *See* Fed. R. Bankr. P. 9006(b)(1)(A).

Finally, the requested stay will not only help the parties tailor their briefing to the issues actually being litigated in a post-consolidation appeal, but will also directly serve the interests of efficiency and judicial economy that are the very purposes for the Motion to Consolidate.

For these reasons, Dugaboy respectfully asks the Court to stay the appellate briefing deadlines in this case (No. 25-1876-K) pending the Court's resolution of either Dugaboy's *Motion to Consolidate* (Dkt. 39) or Highland Capital's *Motion to Dismiss* (Dkt. 21).

Dated: November 5, 2025

Respectfully submitted,

**WINSTON & STRAWN LLP**

By: /s/ Geoffrey S. Harper

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***Counsel for Appellant The Dugaboy Investment Trust***

**CERTIFICATE OF SERVICE**

I certify that on November 5, 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

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Civil Rule 7.1(b), I certify that on November 5, 2025, Dugaboy counsel Mike Gaddis communicated with Highland counsel John Morris, who advised that Highland does not oppose the relief sought in this Motion. Mr. Gaddis also communicated with counsel for Appellant Daugherty, who is likewise unopposed.

/s/ Geoffrey S. Harper  
Geoffrey S. Harper

**CERTIFICATE OF COMPLIANCE**

1. This document complies with the word limit of Fed. R. Bankr. P. 8013(f)(3)(A) because, excluding the portions excluded by Fed. R. Bankr. P. 8015(g), this document contains 378 words.
2. This document complies with the typeface requirements of Fed. R. Bankr. P. 8015(a)(5) and the type-style requirements of Fed. R. Bankr. P. 8015(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word, typeface Times New Roman, 14-point type (12-point type in footnotes).

/s/ Geoffrey S. Harper  
Geoffrey S. Harper



proposed Motion is unopposed, the Court hereby finds and concludes that the Motion to Stay is well taken. Accordingly, it is hereby **ORDERED THAT:**

The Motion to Stay Appellate Briefing Deadlines is **GRANTED**.

All Appellate briefing deadlines in the above-captioned case are hereby STAYED pending this Court's resolution of either (1) Dugaboy's *Motion to Consolidate Proceedings* (Dkt. 39) or (2) Highland Capital's pending *Motion to Dismiss* (Dkt. 21).

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

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Ed Kinkeade  
United States District Judge