

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	§	
	§	
Patrick Daugherty,	§	
	§	
Appellant,	§	
	§	
v.	§	Civil Action No. 3:25-CV-2584-E
	§	
Highland Capital	§	
Management, L.P. et al.,	§	
	§	
Appellees.	§	

STIPULATION CONCERNING
SUPPLEMENT TO RECORD ON APPEAL

Pursuant to Federal Rule of Bankruptcy Procedure 8009(e)(2), this stipulation (the “Stipulation”) is made by and between Appellant, Patrick Daugherty (“Appellant” or “Daugherty”), and Appellees, Highland Capital Management, L.P. and the Highland Claimant Trust (together, “Appellees,” and collectively with Appellant, the “Parties”), by and through their respective counsel.

RECITALS

WHEREAS, on September 5, 2025, the United States Bankruptcy Court for the Northern District of Texas Dallas Division (the “Bankruptcy Court”) entered that



certain *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* (the "Order"). [Adv. Proc. 25-03055-sgj, Doc. No. 23].

WHEREAS, on September 19, 2025, Daugherty filed his *Notice of Appeal* of the Order ("Daugherty's Appeal"). [Adv. Proc. 25-03055-sgj, Doc. No. 23].

WHEREAS, on October 22, 2025, Daugherty filed *Appellant's Amended Designation of Items to be Included in the Record on Appeal and Statement of Issues Presented* (the "Record Designation"). [Adv. Proc. 25-03055-sgj, Doc. No. 51].

WHEREAS, on October 22, 2025, the Clerk of Court for the Bankruptcy Court filed that certain *Transmittal and Certification of Record on Appeal*. [Doc. No. 15].

WHEREAS, on November 20, 2025, Daugherty's counsel contacted Appellees' counsel regarding the unintentional omission, by accident or error, of certain items from the Record Designation necessary for the Court's consideration of Daugherty's Appeal.

WHEREAS, Federal Rule of Bankruptcy Procedure 8009(e)(2)(A) permits the supplement and certification of the record on appeal by Stipulation of the Parties.

WHEREAS, the Parties have conferred in good faith and hereby agree to the supplementation and certification of the record on Daugherty's Appeal.

NOW, WHEREFORE, IT IS HEREBY JOINTLY STIPULATED AND AGREED as follows:

1. Pursuant to Federal Rule of Bankruptcy Procedure 8009(e)(2)(A), the Parties agree, and hereby stipulate that, the record on appeal may be supplemented and certified to include the items in the chart below and attached hereto.

2. Each of the items in the chart below, and attached hereto, were omitted by either accident, error, or both.

3. Each of the items in the chart below, and attached hereto, are true and correct copies of the same.

4. The record on appeal in the above-styled proceeding is hereby supplemented and certified to include the following items:

Exhibit	Date	Docket	Description	ROA #
A	01/22/21	[Cause No. 19-34054-sgj11, Doc. No. 1808]	Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified)	1001 - 1066
B	02/22/21	[Cause No. 19-34054-sgj11, Doc. No. 1943]	Order (I) Confirming the Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (As Modified) and (II) Granting Related Relief	1067 - 1227

Exhibit	Date	Docket	Description	ROA #
C	03/08/22	[Cause No. 19-34054-sgj11, Doc. No. 3298]	Order Approving Settlement with Patrick Hagaman Daugherty (Claim No. 205) and Authorizing Actions Consistent Therewith	1228 - 1231
D	06/05/23	[Cause No. 19-34054-sgj11, Doc. No. 3817-4, Ex. 38] ¹	The Claimant Trust Agreement	1232 - 1271

[Remainder of Page Intentionally Left Blank]

¹The document filed at Doc. No. 3817-4 is a fully executed Claimant Trust Agreement the form of which was first filed by Highland on January 22, 2021 (Cause No. 19-34054-sgj11, Doc. No. 1811-2 (Exhibit R)), as amended on February 1, 2021 (Cause No. 19-34054-sgj11, Doc. No. 1875-4 (Exhibit EE)), in advance of Highland's confirmation hearing.

SO STIPULATED AND AGREED:

Dated: November 21, 2025.

GRAY REED

/s/ Drake M. Rayshell

Jason S. Brookner

Texas Bar No. 240033684

Andrew K. York

Texas Bar No. 24051554

William N. Drabble

Texas Bar No. 24074154

Joshua D. Smeltzer

Texas Bar No. 24113859

Drake M. Rayshell

Texas Bar No. 24118507

1601 Elm Street, Suite 4600

Dallas, Texas 75201

Telephone: (214) 954-4135

Facsimile: (214) 953-1332

Email: jbrookner@grayreed.com

dyork@grayreed.com

wdrabble@grayreed.com

jsmeltzer@grayreed.com

drayshell@grayreed.com

Counsel to Patrick Daugherty, Appellant

-AND -

**PACHULSKI STANG ZIEHL & JONES
LLP**

/s/ John A. Morris (w/ permission)

Jeffrey N. Pomerantz (CA Bar No. 143717)

John A. Morris (NY Bar No. 2405397)

Gregory V. Demo (NY Bar No. 5371992)

Hayley R. Winograd (NY Bar No. 5612569)

10100 Santa Monica Blvd., 13th Floor

Los Angeles, CA 90067

Telephone: (310) 277-6910

Facsimile: (310) 201-0760

E-mail: jpomerantz@pszjlaw.com

jmorris@pszjlaw.com

gdemo@pszjlaw.com

hwinograd@pszjlaw.com

- and -

HAYWARD PLLC

Melissa S. Hayward

Texas Bar No. 24044908

MHayward@HaywardFirm.com

Zachery Z. Annable

Texas Bar No. 24053075

ZAnnable@HaywardFirm.com

10501 N. Central Expy, Ste. 106

Dallas, Texas 75231

Telephone: (972) 755-7100

Facsimile: (972) 755-7110

***Counsel for Highland Capital
Management, L.P. and Highland Claimant
Trust, Appellees***

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Appellant and Appellees conferred in good faith regarding the contents of this Stipulation and its exhibits by email on November 20 and 21, 2025, and ultimately the Parties agreed upon its language and content.

/s/ Drake M. Rayshell

DRAKE M. RAYSHELL

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing instrument was served on all Parties or counsel of record herein on this 21st day of November 2025, via the CM/ECF system and/or email.

/s/ Drake M. Rayshell

DRAKE M. RAYSHELL