BTXN 049 (rev. 03/15)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re: Highland Capital Management, L.P. Debtor(s) The Dugaboy Investment Trust Appellant(s) vs. Highland Capital Management, LP, et al Appellee(s)	§ § § § § § § § § § § §	Case No.: 19−34054−sgj11 Chapter No.: 11 Civil Case: 3:26-CV-02315-X

NOTICE OF TRANSMITTAL

I am transmitting:

- ☐ The Motion for leave to Appeal 28 U.S.C. § (USDC Civil Action No. DNC Case).
- ☐ The Motion for Stay Pending Appeal (USDC Action No. − DNC Case).
- ☐ The Proposed Findings of Fact and Conclusions of Law.
- ☐ The Motion to Extend Time To File Designation (USDC Civil Action No DNC Case).
- ☐ On , the Record on Appeal was transmitted. The designation of record or item(s) designated by were not filed when the record was transmitted. The item(s) were filed on awaiting instructions from the assigned district judge.
- ☑ Other On July 31, 2026, Appellant filed its Designation of Contents for Inclusion of the Record on Appeal and Statement of Issues on Appeal. On August 7, 2026, Appellees filed a Motion to Strike Items Improperly Designated by Appellant. The record was transmitted to the District Court on August 18, 2026. This transmittal serves as notice that a hearing has been set for September 3, 2026, on the Motion to Strike Items of the Transmitted Record. A copy of the Motion to Strike is attached for reference.
- ☑ Copies of: Appellee's Motion to Strike Items Improperly Designated as Part of the Record on Appeal of the Rule 60{b}

TO ALL ATTORNEYS: File all subsequent papers captioned and numbered with the appropriate division of the United States District Clerk's Office. Any questions concerning this proceeding should be directed to the U.S. District Clerk's Office at (214) 753−2200.

DATED: 8/19/26

FOR THE COURT:
Stephen J Manz, Clerk of Court

by: /s/Sheniqua Whitaker, Deputy Clerk

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

In re:	)	Chapter 11
HIGHLAND CAPITAL MANAGEMENT, L.P.,[1]	)	Case No. 19-34054-sgj11
Reorganized Debtor.	)	

APPELLEES' MOTION TO STRIKE ITEMS IMPROPERLY DESIGNATED AS PART OF THE RECORD ON APPEAL OF THE RULE 60(b) DECISION [DOCKET NO. 4705]

[1] Highland's last four digits of its taxpayer identification number are (8357). The service address for Highland is 6333 E. Mockingbird Lane, Suite 147 #5045, Dallas, TX 75214.

Pursuant to Rule 8009(e) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Highland Capital Management, L.P. ("HCMLP"), the reorganized debtor in the above-captioned Chapter 11 case, and the Highland Claimant Trust (together with HCMLP, "Highland" or "Appellees"), the appellees in The Dugaboy Investment Trust's ("Dugaboy") appeal (the "Appeal") of this Court's June 15, 2026 Order (the "Rule 60(b) Decision"; Dkt. Nos. 4678–79) denying its motion to reconsider and/or vacate this Court's June 30, 2025 Order (the "Rule 9019 Order"; Dkt. No. 4297) pursuant to Federal Rule of Civil Procedure 60(b), by and through their undersigned counsel, hereby move (the "Motion") for entry of an order, substantially in the form attached as **Exhibit A** hereto (the "Proposed Order"), striking certain items that Dugaboy improperly designated as part of the record on its Appeal of the Rule 60(b) Decision. In support of their Motion, Appellees respectfully state as follows:

PRELIMINARY STATEMENT

1. Dugaboy designated more than ***100 items*** containing more than ***19,000 pages*** to be included in the record of its Appeal of this Court's Rule 60(b) Decision. Dugaboy's proposed designations are improper. Many of these designated items were never offered into evidence and were therefore not considered by this Court when rendering its Rule 60(b) Decision. For example, Dugaboy attached Chief Judge Jernigan's books to its Rule 60(b) motion, but it never offered them into evidence and therefore avoided evidentiary objections, such as for hearsay, foundation, and relevance. It is black-letter law that those materials are not part of the record on appeal for any purpose.

2. Accordingly, this Court should strike from the proposed record on appeal the improperly designated items (the "Improper Items") listed in **Exhibit 1** to the Proposed Order.

RELEVANT BACKGROUND

3. On May 19, 2025, the Hunter Mountain Investment Trust ("HMIT") and certain related entities, on the one hand, and Highland and certain related entities, on the other hand, entered into a settlement to, among other things, resolve HMIT's pending litigation (the "Rule 9019 Settlement"; Dkt. No. 4216). That same day, Highland moved for Bankruptcy Court approval of the settlement pursuant to Bankruptcy Rule 9019. (*Id.*) On June 9, 2025, Dugaboy objected to the proposed Rule 9019 Settlement. (Dkt. No. 4230.) On June 30, 2025, following an evidentiary hearing, the Bankruptcy Court overruled Dugaboy's objections and approved the Rule 9019 Settlement in the Rule 9019 Order. (Dkt. No. 4297.) On July 14, 2025, Dugaboy filed a notice of appeal of the Rule 9019 Order. (Dkt. No. 4311.)

4. On February 9, 2026, with Dugaboy's appeal of the Rule 9019 Order and Highland's motion to dismiss that appeal as statutorily moot both fully briefed and pending, Dugaboy moved this Court to reconsider and/or vacate the Rule 9019 Order pursuant to Rule 60(b) (the "Rule 60(b) Motion"; Dkt. No. 4513). Dugaboy served extensive discovery requests, including document requests to HCMLP, document subpoenas to eight third-party entities and law firms, and requests to take three depositions. (Dkt. No. 4534-1 to -3.) HCMLP moved for a protective order against this discovery (the "MPO"; Dkt. No. 4533), and the third parties joined HCMLP's motion and separately moved to quash Dugaboy's subpoenas (Dkt. Nos. 4538, 4540, 4549). On April 24, 2026, this Court held a hearing on the MPO. (Dkt. No. 4544.) On April 27, 2026, this Court granted the MPO in part and permitted Dugaboy to take limited discovery in connection with its Rule 60(b) Motion. (Dkt. No. 4566.)

5. On May 11, 12, and 21, 2026, this Court held an evidentiary hearing (the "Hearing") on Dugaboy's Rule 60(b) Motion. (Dkt. Nos. 4546, 4630, 4637, 4674.) During the Hearing, this Court admitted into evidence more than 140 exhibits and heard live testimony from

five witnesses. (*See* May 11, 2026 Hr'g Tr.; May 12, 2026 Hr'g Tr; May 21, 2026 Hr'g Tr.) During and after the Hearing, Dugaboy filed various additional proposed exhibits on the docket but never moved to introduce them into evidence. (Dkt. Nos. 4612, 4617–4625, 4628–4629, 4659, 4661, 4669.) On June 15, 2026, this Court denied Dugaboy's Rule 60(b) Motion. (Dkt. Nos. 4678–79.)

6. On June 29, 2026, Dugaboy filed both a notice of appeal of the Rule 60(b) Decision (Dkt. No. 4685) and a motion to alter or amend and for reconsideration of the Rule 60(b) Decision pursuant to Rule 59(e) (the "Rule 59(e) Motion"; Dkt. No. 4684). On July 10, 2026, this Court denied Dugaboy's Rule 59(e) Motion (Dkt. No. 4689), rendering Dugaboy's June 29, 2026, notice of appeal immediately effective under Bankruptcy Rule 8002(b)(2). Dugaboy's Appeal is pending as case no. 3:26-cv-02315-X before Judge Starr in the United States District Court for the Northern District of Texas.

7. On July 24, 2026, Dugaboy filed its *Designations of Items to Be Included in the Record on Appeal and Statement of the Issues to Be Presented from the Bankruptcy Court's Order Denying Appellant's Motion for Relief from Order and Motion to Vacate*. (Dkt. No. 4699.) Dugaboy designated more than 100 items to be included in the record on its Appeal, totaling more than 19,000 pages of documents (the "Initial Designations").

8. Dugaboy knows from experience that substantial portions of its Initial Designations are improper because in the fall of 2025, in connection with Dugaboy's various appeals, Highland was forced to move to strike certain items improperly designated as part of the respective records on appeal. (Dkt. Nos. 4434, 4450–51.) Dugaboy opposed one of Highland's motions to strike (the "Opposition" or "Opp."; Dkt. No. 4497), but the parties ultimately resolved their dispute by

stipulation with Dugaboy withdrawing most of the offending designations from the appellate record (Dkt. No. 4499).[2]

9. As it did last year, on July 31, 2026, Highland's counsel emailed Dugaboy's counsel regarding Dugaboy's Initial Designations, and asked Dugaboy to withdraw the Improper Items from the record on appeal.[3] On August 7, 2026, Dugaboy stated through counsel that it opposes any motion to strike any of the Designations, insisting that all are proper.

ARGUMENT

10. Bankruptcy Rule 8009(e)(1) provides: "If any difference arises about whether the record accurately discloses what occurred in the bankruptcy court, the difference must be submitted to and settled by the bankruptcy court and the record conformed accordingly. If an item has been improperly designated as part of the record on appeal, a party may move to strike that item." Bankruptcy Rule 8009(e)(1) vests this Court with sole authority to consider such a motion. *See In re Digerati Techs., Inc.*, 531 B.R. 654, 660 (Bankr. S.D. Tex. 2015).

11. The Fifth Circuit has provided ample guidance on this issue. In the leading case of *Wooley v. Haynes & Boone, L.L.P. (In re SI Restructuring Inc.)*, 480 F. App'x 327, 328 (5th Cir. 2012), the Fifth Circuit upheld the district court's affirmance of the bankruptcy court's granting of a motion to strike "documents [designated] as part of the [appellate] record even though the documents were never properly admitted to this proceeding." Citing Bankruptcy Rule 8006 (the predecessor rule to Bankruptcy Rule 8009) and *Zer-Ilan v. Frankford (In re CPDC Inc.)*, 337 F.3d

[2] Highland's other motions to strike were respectively withdrawn as moot because the appeal was dismissed (Dkt. No. 4489) and stayed (Dkt. No. 4456).

[3] Later that day, Dugaboy filed *Amended Designations of Items to Be Included in the Record on Appeal and Statement of the Issues to Be Presented from the Bankruptcy Court's Order Denying Appellant's Motion for Relief from Order and Motion to Vacate* (the "Designations"; Dkt. No. 4705). Dugaboy's amended Designations did not remove any of the Improper Items or address any of Highland's concerns; they simply rearranged several items and removed certain duplicative items.

436 (5th Cir. 2003), the Fifth Circuit held that because "the disputed evidence was not admitted as evidence before the bankruptcy court when it ruled on the . . . motion," those items were properly stricken from the appellate record. *SI Restructuring*, 480 F. App'x at 328; *see also CPDC*, 337 F.3d at 443 (Bankruptcy "Rule 8006 provides that the record on appeal from a bankruptcy court decision consists of designated materials that became part of the bankruptcy court's record in the first instance. The rule does not permit items to be added to the record on appeal to the district court if they were not part of the record before the bankruptcy court."); *Mehta v. Havis (In re Shah)*, 204 F. App'x 357, 359 (5th Cir. 2006) (affirming "district court's order striking certain record designations on appeal," because "[i]t is uncontested that the documents that Mehta sought to designate were not introduced as evidence before the bankruptcy court," and "the district court did not err in refusing to permit Mehta to designate documents for appellate review that were never considered by the bankruptcy court").

12. Even though Bankruptcy Rule 8009(e) uses slightly different language from its predecessor,[4] courts have reaffirmed the continued vitality of *SI Restructuring* and *CPDC* in considering motions to strike under the newer rule. For example, in *Carmichael v. Balke*, the court observed that appellants "cannot use their designation to create a version of the appellate record that does not reflect [their] presentation of evidence in the Bankruptcy Court. The Court's primary concern is supplying the District Court with a record that 'accurately discloses what occurred in the bankruptcy court.' Fed. R. Bankr. P. 8009(e)." *Carmichael v. Blake (In re Imperial Petroleum Recovery Corp.)*, 2022 WL 90607, at *4 (Bankr. S.D. Tex. Jan. 7, 2022) (cleaned up) (relying on *SI Restructuring* to strike designated items because the "items were not admitted into evidence at

[4] In *Digerati*, the court noted that, because Rule 8009(e) was "fairly new" and had "no case law at this point interpreting this new rule," it would "look to case law interpreting the predecessor to Rule 8009"—that is, former Bankruptcy Rule 8006 (which formed the basis for the ruling in *SI Restructuring*). 531 B.R. at 660.

trial or explicitly accepted as proffers," and rejecting that "each item's filing is sufficient to warrant its inclusion in the appellate designation"); *see also Digerati*, 531 B.R. at 663 (holding that items not before the court and not considered by it in rendering its decision should not be included in the record).

13. Based on the foregoing, this Court should strike the Improper Items from the record on appeal because they were not offered or "actually admitted into the trial record at the multi-day [H]earing," and this Court never "consider[ed] any of these items in reaching" the Rule 60(b) Decision. *Digerati*, 531 B.R. at 663 (collecting cases). Dugaboy also will never be able to credibly explain its "failure to introduce these items into the record at the [H]earing." *Id.* (citing *Shah*, 204 F. App'x at 359).

14. Conversely, Appellees would be severely prejudiced by the inclusion of the Improper Items because Dugaboy would use the Improper Items to challenge the Rule 60(b) Decision, even though this Court never considered those items and Highland never had an opportunity to object to their admission into evidence. In other words, including those Improper Items would fail to "supply[ ] the District Court with a record that 'accurately discloses what occurred in the bankruptcy court,'" *Carmichael*, 2022 WL 90607, at *4 (quoting Fed. R. Bankr. P. 8009(e)), giving Dugaboy an unwarranted advantage and distorting the appellate proceedings.

15. In its Opposition to Highland's prior motion to strike improper designations on appeal, Dugaboy falsely asserted that any document filed on "the bankruptcy court's own docket" that was "available for the bankruptcy judge's consideration" can "be designated for the record" on appeal even "without being entered into evidence." (Opp. at 7 (citing *Digerati*, 531 B.R. at 662–63; *Lockwood v. GlassRatner Advisory & Cap. Grp. LLC (In re Lockwood Holdings Inc.)*,

2024 WL 727762, at *3 (S.D. Tex. Feb. 22, 2024)).)[5] That is not the law. Dugaboy's own authority holds that ***only "if the designated items are pleadings***, as opposed to actual documents (such as letters or emails), then it is not required that these pleadings have been formally entered into evidence." *Digerati*, 531 B.R. at 662 (citing *In re Adkins*, 2104 WL 5801679, at *1–2 (Bankr. N.D. Tex. Nov. 7, 2014)) (emphasis added); *see also Lockwood*, 2024 WL 727762, at *1–3 (holding that "denial of the motion to strike wasn't an abuse of discretion," because the "contested designations included various pleadings, orders, and transcripts of bankruptcy proceedings"); *Carmichael*, 2022 WL 90607, at *5 (taking "judicial notice of the updated docket sheet," witness and exhibit list for "the fact of its filings," and court orders, but striking each underlying document "fil[ed] as a potential exhibit" on the docket because "the item was never offered into evidence"). Thus, contrary to Dugaboy's assertions, "a party on appeal cannot simply designate any items on the debtor's main case docket merely to provide the appellate court with a 'historical context and factual background' to the entire bankruptcy case." *Digerati*, 531 B.R. at 663 (collecting cases). Indeed, Dugaboy here did not even ask this Court to take judicial notice of any of the Improper Items, let alone seek to introduce them into evidence, so this Court should "'refuse to permit [Dugaboy] to designate documents for appellate review that were never considered by the bankruptcy court.'" *Id.* at 661 (quoting *Mehta*, 204 F. App'x at 359).

CONCLUSION

16. For the foregoing reasons, this Court should take a scalpel to the Designations and extract the Improper Items on the grounds that they were never offered or admitted into evidence or considered by this Court.

[5] *See also* Opp. at 8 (arguing that all "docket filings in the same proceeding" can be designated to "provide context"); *id.* at 8 n.6 (arguing that all documents filed on the docket "were already part of the record"); *id.* at 9 ("docket entries provide[] context for the appealed ruling").

PRAYER FOR RELIEF

WHEREFORE, Appellees respectfully request that this Court (1) enter the Proposed Order granting the Motion, and (2) grant Appellees such further and additional relief as this Court deems necessary and appropriate.

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Dated: August 7, 2026

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CERTIFICATE OF CONFERENCE

I hereby certify that, on July 31, 2026, John A. Morris, counsel for Highland Capital Management, L.P. and the Highland Claimant Trust, communicated with Dugaboy's counsel in writing regarding the substance of the Motion. On August 7, 2026, Michael Gaddis, counsel to Dugaboy, stated that Dugaboy would oppose any motion to strike and insisted that all of Dugaboy's Designations are proper.

/s/ Zachery Z. Annable
Zachery Z. Annable

EXHIBIT A

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

In re:	)	Chapter 11
HIGHLAND CAPITAL MANAGEMENT, L.P.,[1]	)	Case No. 19-34054-sgj11
Reorganized Debtor.	)	

ORDER STRIKING ITEMS IMPROPERLY DESIGNATED AS PART OF THE RECORD ON APPEAL OF THE RULE 60(b) DECISION [DOCKET NO. 4705]

Upon consideration of *Appellees' Motion to Strike Items Improperly Designated as Part of the Record on Appeal of the Rule 60(b) Decision [Docket No. 4705]* [Docket No. __] (the "Motion")[2] filed by Highland Capital Management, L.P., the reorganized debtor in the above-captioned Chapter 11 case, and the Highland Claimant Trust (together, "Appellees"); and the Court having found that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Federal Rule of Bankruptcy Procedure 8009(e); (b) this is a core proceeding pursuant to

[1] Highland's last four digits of its taxpayer identification number are (8357). The service address for Highland is 6333 E. Mockingbird Lane, Suite 147 #5045, Dallas, TX 75214.

[2] Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Motion.

28 U.S.C. § 157(b)(2); (c) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; (d) notice of the Motion was proper and sufficient under the circumstances and no further or additional notice need be given; and (e) the factual and legal bases set forth in the Motion establish sufficient cause for the relief granted in this Order; after due deliberation, **IT IS ORDERED, ADJUDGED, AND DECREED THAT**:

1. The Motion is **GRANTED** as set forth herein.

2. The Improper Items set forth on **Exhibit 1** to this Order are stricken from the record on The Dugaboy Investment Trust's Appeal of the Court's *Order* [Docket No. 4679] entered June 15, 2026, and the Clerk of the Court is directed to take all steps necessary to effectuate this provision.

3. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

###End of Order###

EXHIBIT 1

LIST OF IMPROPER ITEMS TO BE STRICKEN
FROM THE RECORD ON THE APPEAL OF THE RECONSIDERATION ORDER

Date Filed	Docket No.	Description/Docket Text
02/09/2026	4513	(1195 pgs; 66 docs) Motion to Reconsider (related documents 4297 Order on motion to compromise controversy) and Motion to Vacate Filed by Partner Dugaboy Investment Trust (Attachments: # 1 Proposed Order # 2 Index of Exhibits # 3 Appendix A # 4 Exhibit 1 # 5 Exhibit 2 # 6 Exhibit 3 # 7 Exhibit 4 # 8 Exhibit 5 # 9 Exhibit 6 # 10 Exhibit 7 # 11 Exhibit 8 # 12 Exhibit 9 # 13 Exhibit 10 # 14 Exhibit 11 # 15 Exhibit 12 # 16 Exhibit 13 # 17 Exhibit 14 # 18 Exhibit 15 # 19 Exhibit 16 # 20 Exhibit 17 # 21 Exhibit 18# 22 Exhibit 19 # 23 Exhibit 20 # 24 Exhibit 21 # 25 Exhibit 22 # 26 Exhibit 23 # 27 Exhibit 24 # 28 Exhibit 25 # 29 Exhibit 26 # 30 Exhibit 27 # 31 Exhibit 28 # 32 Exhibit 29 # 33 Exhibit 30 # 34 Exhibit 31# 35 Exhibit 32 # 36 Exhibit 33 # 37 Exhibit 34 # 38 Exhibit 35 # 39 Exhibit 36 # 40 Exhibit 37 # 41 Exhibit 38 # 42 Exhibit 39 # 43 Exhibit 40 # 44 Exhibit 41 # 45 Exhibit 42 # 46 Exhibit 43 # 47 Exhibit 44# 48 Exhibit 45 # 49 Exhibit 46 # 50 Exhibit 47 # 51 Exhibit 48 # 52 Exhibit 49 # 53 Exhibit 50 # 54 Exhibit 51 # 55 Exhibit 52 # 56 Exhibit 53 # 57 Exhibit 54 # 58 Exhibit A # 59 Exhibit B # 60 Exhibit C #61 Exhibit D # 62 Exhibit E # 63 Exhibit F # 64 Exhibit G # 65 Exhibit H) (Gaddis, John Michael)
02/27/2026	4521	(1789 pgs; 9 docs) Support/supplemental document/ Supplemental Exhibits filed by Partner Dugaboy Investment Trust (RE: related document(s) 4513 Motion to Reconsider (related documents 4297 Order on motion to compromise controversy) and Motion to Vacate). (Attachments: # 1 Exhibit B # 2 Exhibit C # 3 Exhibit D # 4 Exhibit E # 5 Exhibit F # 6 Exhibit G- Part 1 # 7 Exhibit G - Part 2 # 8 Exhibit H) (Gaddis, John Michael)
05/10/2026	4612	(37 pgs; 2 docs) Amended Exhibit List Second Amended Exhibit List filed by Partner Dugaboy Investment Trust (RE: related document(s) 4605 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 242) (Rose, Sydney)
05/11/2026	4629	(156 pgs; 16 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 229 # 2 Exhibit 230 # 3 Exhibit 231 # 4 Exhibit 232 # 5 Exhibit 233 # 6 Exhibit 234 # 7 Exhibit 235 # 8 Exhibit 236 # 9 Exhibit 237 # 10 Exhibit 238 # 11 Exhibit 239 # 12 Exhibit 240 # 13 Exhibit 241 # 14 Exhibit 242 # 15 Exhibit 243) (Welker, Avery)

05/11/2026	4628	(461 pgs; 18 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 212 # 2 Exhibit 213 # 3 Exhibit 214 # 4 Exhibit 215 # 5 Exhibit 216 # 6 Exhibit 217 # 7 Exhibit 218 # 8 Exhibit 219 # 9 Exhibit 220 # 10 Exhibit 221 # 11 Exhibit 222 # 12 Exhibit 223 # 13 Exhibit 224 # 14 Exhibit 225 # 15 Exhibit 226 # 16 Exhibit 227 # 17 Exhibit 228) (Welker, Avery)
05/11/2026	4625	(584 pgs; 13 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 194 # 2 Exhibit 195 # 3 Exhibit 196 # 4 Exhibit 197 # 5 Exhibit 198 # 6 Exhibit 199 # 7 Exhibit 200 # 8 Exhibit 201 # 9 Exhibit 202 # 10 Exhibit 203 # 11 Exhibit 204 # 12 Exhibit 205) (Welker, Avery)
05/11/2026	4624	(389 pgs; 24 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 171 # 2 Exhibit 172 # 3 Exhibit 173 # 4 Exhibit 174 # 5 Exhibit 175 # 6 Exhibit 176 # 7 Exhibit 177 # 8 Exhibit 178 # 9 Exhibit 179 # 10 Exhibit 180 # 11 Exhibit 181 # 12 Exhibit 182 # 13 Exhibit 183 # 14 Exhibit 184 # 15 Exhibit 185 # 16 Exhibit 186 # 17 Exhibit 187 # 18 Exhibit 188 # 19 Exhibit 189 # 20 Exhibit 190 # 21 Exhibit 191 # 22 Exhibit 192 # 23 Exhibit 193) (Welker, Avery)
05/11/2026	4623	(72 pgs; 4 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 168 # 2 Exhibit 169 # 3 Exhibit 170) (Welker, Avery)
05/11/2026	4622	(126 pgs; 28 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 141 # 2 Exhibit 142 # 3 Exhibit 143 # 4 Exhibit 144 # 5 Exhibit 145 # 6 Exhibit 146 # 7 Exhibit 147 # 8 Exhibit 148 # 9 Exhibit 149 # 10 Exhibit 150 # 11 Exhibit 151 # 12 Exhibit 152 # 13 Exhibit 153 # 14 Exhibit 154 # 15 Exhibit 155 # 16 Exhibit 156 # 17 Exhibit 157 # 18 Exhibit 158 # 19 Exhibit 159 # 20 Exhibit 160 # 21 Exhibit 161 # 22 Exhibit 162 # 23 Exhibit 163 # 24 Exhibit 164 # 25 Exhibit 165 # 26 Exhibit 166 # 27 Exhibit 167) (Welker, Avery)

05/11/2026	4621	(309 pgs; 46 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: #1 Exhibit 096 # 2 Exhibit 097 # 3 Exhibit 098 # 4 Exhibit 099 # 5 Exhibit 100 # 6 Exhibit 101 # 7 List of 20 Largest Creditors 102 # 8 Exhibit 103 # 9 Exhibit 104 # 10 Exhibit 105 # 11 Exhibit 106 # 12 Exhibit 107 # 13 Exhibit 108 # 14 Exhibit 109 # 15 Exhibit 110 # 16 Exhibit 111 # 17 Exhibit 112 # 18 Exhibit 113 # 19 Exhibit 114 # 20 Exhibit 115 # 21 Exhibit 116 # 22 Exhibit 117 # 23 Exhibit 118 # 24 Exhibit 119 # 25 Exhibit 120 # 26 Exhibit 121 # 27 Exhibit 122 # 28 Exhibit 123 # 29 Exhibit 124 # 30 Exhibit 125 # 31 Exhibit 126 # 32 Exhibit 127 # 33 Exhibit 128 # 34 Exhibit 129 # 35 Exhibit 130 # 36 Exhibit 131 # 37 Exhibit 132 # 38 Exhibit 133 # 39 Exhibit 134 # 40 Exhibit 135 # 41 Exhibit 136 # 42 Exhibit 137 # 43 Exhibit 138 # 44 Exhibit 139 # 45 Exhibit 140) (Welker, Avery)
05/11/2026	4620	(361 pgs; 45 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 052 # 2 Exhibit 053 # 3 Exhibit 054 # 4 Exhibit 055 # 5 Exhibit 056 # 6 Exhibit 057 # 7 Exhibit 058 # 8 Exhibit 059 # 9 Exhibit 060 # 10 Exhibit 061 # 11 Exhibit 062 # 12 Exhibit 063 # 13 Exhibit 064 # 14 Exhibit 065 # 15 Exhibit 066 # 16 Exhibit 067 # 17 Exhibit 068 # 18 Exhibit 069 # 19 Exhibit 070 # 20 Exhibit 071 # 21 Exhibit 072 # 22 Exhibit 073 # 23 Exhibit 074 # 24 Exhibit 075 # 25 Exhibit 076 # 26 Exhibit 077 # 27 Exhibit 078 # 28 Exhibit 079 # 29 Exhibit 080 # 30 Exhibit 081 # 31 Exhibit 082 # 32 Exhibit 083 # 33 Exhibit 084 # 34 Exhibit 085 # 35 Exhibit 086 # 36 Exhibit 087 # 37 Exhibit 088 # 38 Exhibit 089 # 39 Exhibit 090 # 40 Exhibit 091 # 41 Exhibit 092 # 42 Exhibit 093 # 43 Exhibit 094 # 44 Exhibit 095) (Welker, Avery)
05/11/2026	4619	(314 pgs; 17 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 036 # 2 Exhibit 037 # 3 Exhibit 038 # 4 Exhibit 039 # 5 Exhibit 040 # 6 Exhibit 041 # 7 Exhibit 042 # 8 Exhibit 043 # 9 Exhibit 044 # 10 Exhibit 045 # 11 Exhibit 046 # 12 Exhibit 047 # 13 Exhibit 048 # 14 Exhibit 049 # 15 Exhibit 050 # 16 Exhibit 051) (Welker, Avery)
05/11/2026	4618	(638 pgs; 14 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)).

		(Attachments: # 1 Exhibit 023 # 2 Exhibit 024 # 3 Exhibit 025 # 4 Exhibit 026 # 5 Exhibit 027 # 6 Exhibit 028 # 7 Exhibit 029 # 8 Exhibit 030 # 9 Exhibit 031 # 10 Exhibit 032 # 11 Exhibit 033 # 12 Exhibit 034 # 13 Exhibit 035) (Welker, Avery)
05/11/2026	4617	(444 pgs; 23 docs) Amended Exhibit List Third Amended Exhibit List filed by Creditor The Dugaboy Investment Trust (RE: related document(s) 4612 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 001 # 2 Exhibit 002 # 3 Exhibit 003 # 4 Exhibit 004 # 5 Exhibit 005 # 6 Exhibit 006 # 7 Exhibit 007 # 8 Exhibit 008 # 9 Exhibit 009 # 10 Exhibit 010 # 11 Exhibit 011 # 12 Exhibit 012 # 13 Exhibit 013 # 14 Exhibit 014 # 15 Exhibit 015 # 16 Exhibit 016 # 17 Exhibit 017 # 18 Exhibit 018 # 19 Exhibit 019 # 20 Exhibit 020 # 21 Exhibit 021 # 22 Exhibit 022) (Welker, Avery)
05/18/2026	4659	(427 pgs; 47 docs) Amended Exhibit List filed by Partner Dugaboy Investment Trust (RE: related document(s) 4605 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 246 # 2 Exhibit 248 # 3 Exhibit 249 # 4 Exhibit 250 # 5 Exhibit 251 # 6 Exhibit 252 # 7 Exhibit 253 # 8 Exhibit 254 # 9 Exhibit 255 # 10 Exhibit 260 # 11 Exhibit 261 # 12 Exhibit 262 # 13 Exhibit 263 # 14 Exhibit 264 # 15 Exhibit 265 # 16 Exhibit 266 # 17 Exhibit 267 - Filed Under Seal # 18 Exhibit 268 - Filed Under Seal # 19 Exhibit 269 - File Under Seal # 20 Exhibit 270 - Filed Under Seal #21 Exhibit 270 #22 Exhibit 272 #23 Exhibit 273 #24 Exhibit 274 # 25 Exhibit 275 # 26 Exhibit 276 # 27 Exhibit 277 # 28 Exhibit 278 # 29 Exhibit 279 # 30 Exhibit 280 # 31 Exhibit 281 # 32 Exhibit 282 # 33 Exhibit 283 # 34 Exhibit 284 # 35 Exhibit 285 # 36 Exhibit 286 # 37 Exhibit 287 # 38 Exhibit 288 # 39 Exhibit 289 # 40 Exhibit 290 # 41 Exhibit 291 # 42 Exhibit 274 - Native Slipsheet # 43 Exhibit 256 - Native Slipsheet # 44 Exhibit 257 - Native Slipsheet # 45 Exhibit 258 - Native Slipsheet # 46 Exhibit 259 - Native Slipsheet) (Rose, Sydney)
05/19/2026	4661	(71 pgs; 6 docs) Support/supplemental document Additional Exhibits filed by Partner Dugaboy Investment Trust (RE: related document(s) 4659 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit 247 # 2 Exhibit 256 # 3 Exhibit 257 # 4 Exhibit 258 # 5 Exhibit 259) (Rose, Sydney)
05/23/2026	4669	(98 pgs; 2 docs) Amended Exhibit List Dugaboy's Seventh Amended Exhibit List filed by Partner Dugaboy Investment Trust (RE: related document(s) 4659 List (witness/exhibit/generic)). (Attachments: # 1 Exhibit Exhibit

		292 - Dugaboy Investment Trust's Closing Presentation (May 21, 2026)) (Welker, Avery)