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

IN RE: HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	CHAPTER 11
	§	Case No. 19-34054-sgj11
	§	
Reorganized Debtor.	§	Adversary No. 25-03055-bwo
	§	
	§	
PATRICK DAUGHERTY	§	
	§	
Appellant	§	
	§	
v.	§	Civil Action No. 3:26-cv-02664-S
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P. and HIGHLAND CLAIMANT TRUST,	§	
	§	
Appellees.	§	

AGREED STIPULATION REGARDING DESIGNATION OF RECORD ON APPEAL AND EXCLUSION OF CERTAIN EXHIBITS

Appellant Patrick Daugherty ("Appellant" or "Daugherty"), by and through undersigned counsel, and Appellees Highland Capital Management, L.P. and Highland Claimant Trust (collectively, the "Appellees"), by and through undersigned counsel (collectively, the "Parties"), hereby stipulate and agree as follows:

RECITALS

WHEREAS, this matter is an appeal from the United States Bankruptcy Court for the Northern District of Texas (Case No. 19-34054-sgj11, Adversary No. 25-03055-bwo) to this Court;

WHEREAS, Appellant designated the entire record through trial for transmittal to this Court in connection with the appeal, consistent with its view of the practical and logistical requirements of the Bankruptcy Clerk's office;

WHEREAS, the Parties acknowledge that Docket No. 132 (the "Trial Order") accurately identifies the trial exhibits admitted into evidence at the trial of Adversary Proceeding No. 25-03055-bwo;

WHEREAS, Appellant represents that he will not rely on appeal on any exhibits that were not admitted at trial;

WHEREAS, Appellant's Exhibits 58 through 77 were not admitted into evidence at trial, as reflected in the Trial Order; and

WHEREAS, the Parties desire to enter into this Stipulation to clarify and confirm that certain exhibits not admitted into evidence shall not be considered by this Court for any purpose in connection with the appeal;

WHEREAS, certain exhibits admitted at trial were filed under seal in the adversary proceeding pursuant to the parties' Agreed Protective Order [Docket Nos. 67, 77 in Adversary No. 25-03055-bwo], and Appellant has separately moved this Court for an order accepting such sealed documents under seal for the record on appeal;

NOW, THEREFORE, in consideration of the foregoing and for good cause shown, the Parties stipulate and agree as follows:

STIPULATED TERMS

1. Appellant designated the entire record through trial for transmittal to this Court in connection with the appeal. This designation was made consistent with Appellant's view of the practical and logistical concerns and requirements of the Bankruptcy Clerk's office and does not represent a claim by Appellant or concession by Appellee that all documents contained within the designated record were admitted into evidence or are otherwise properly before this Court.

2. The Trial Order identifies the trial exhibits admitted into evidence at the trial of Adversary Proceeding No. 25-03055-bwo.

3. Appellant will not rely upon any exhibits that were not admitted at trial for any purpose in connection with the appeal.

4. Appellant's Exhibits 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, and 77 (collectively, the "Excluded Exhibits") were not admitted into evidence at trial, as reflected in the Trial Order.

5. The Excluded Exhibits shall not be considered by this Court for any purpose in connection with the appeal, including but not limited to the merits of any issue raised on appeal.

6. This Stipulation is without prejudice to any other rights, claims, or defenses of either Party and shall not be construed as an admission by either Party regarding any issue in this appeal.

7. The Parties respectfully request that the Court enter the Proposed Order attached hereto.

SO STIPULATED AND AGREED:

Dated: September 23, 2026.

GRAY REED

By: */s/ Andrew K. York*

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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 September 9-23, 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 23rd day of September 2026, via the CM/ECF system and/or email.

/s/ Drake M. Rayshell
DRAKE M. RAYSHELL