United States District Court

NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE DUGABOY INVESTMENT TRUST	§	
	§	
v.	§	CIVIL ACTION NO. 3:25-CV-2072-S
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P., et al.	§	
	§	
IN RE:	§	BANKRUPTCY CASE NO. 19-34054-SGJ11
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.	§	

ORDER

Before the Court is Appellees Highland Capital Management, L.P., and the Highland Claimant Trust's Motion to Consolidate Bankruptcy Appeals ("Motion") [ECF No. 19]. For the following reasons, the Court **DENIES** the Motion.

First, this Court does not have the power to grant the relief sought by Appellees. Appellees seek consolidation of this and two other appeals into a lead case, *The Dugaboy Investment Trust v. Highland Capital Management, L.P.*, No. 3:25-CV-1876-K (N.D. Tex.) ("Rule 9019 Appeal"). This Court is not presiding over the Rule 9019 Appeal and has not accepted transfer of any of the other appeals; therefore, the Court is unable to consolidate the appeals. As such, the Court **DENIES** the Motion because it lacks the authority to grant the relief Appellees seek.

In the alternative, to the extent the Court instead construes the Motion as a request to transfer this case to the court hearing the Rule 9019 Appeal for potential consolidation, the Court concludes that transfer is not appropriate. That court has already denied a prior request to

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consolidate this case into the Rule 9019 Appeal. *See* Rule 9019 Appeal, Dkt. No. 48. The Court sees no reason to revisit that ruling. Accordingly, the Court **DENIES** the Motion in its entirety.

The Court previously stayed this case pending resolution of the consolidation issue. *See* ECF No. 18. Because that issue has now been fully decided, the Court **REOPENS** this case and sets the following briefing deadlines. Appellant's brief must be filed by **November 2, 2026**. Appellees' brief must be filed by **December 2, 2026**. Appellant's reply brief, if necessary, must be filed by **December 16, 2026**.

SO ORDERED.

SIGNED October 2, 2026.

KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE