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*Counsel for Highland Capital Management,
L.P.*



**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
	§	
Debtor.	§	
	§	
UBS SECURITIES LLC AND UBS AG LONDON BRANCH,	§	Adversary Proceeding
	§	
Plaintiffs,	§	No. 21-03020
	§	
vs.	§	
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	
	§	
Defendant.	§	
	§	

STIPULATION AND PROPOSED SCHEDULING ORDER

This stipulation (the “Stipulation”) is made and entered into by and between Plaintiffs UBS Securities LLC and UBS AG London Branch (together, “UBS”) and Defendant Highland Capital Management, L.P. (the “Debtor,” and together with UBS, the “Parties”), by and through their respective undersigned counsel.

RECITALS

WHEREAS, on October 16, 2019 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the Bankruptcy Court for the District of Delaware, Case No. 19-12239 (CSS) (the “Delaware Court”);

¹ The Debtor’s last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

WHEREAS, on December 4, 2019, the Delaware Court entered an order transferring venue of the Debtor’s bankruptcy case (the “Bankruptcy Case”) to this Court;

WHEREAS, on March 31, 2021, UBS commenced the above-captioned adversary proceeding (the “Adversary Case”) against the Debtor by filing its complaint [Adv. Dkt. No. 3] (the “Complaint”);

WHEREAS, on April 1, 2021, the Court issued the *Order Regarding Adversary Proceedings Trial Setting and Alternative Scheduling Order* [Adv. Dkt. No. 9] (the “Alternative Scheduling Order”);

WHEREAS, on May 5, 2021, the Court entered the *Order Approving Stipulation Extending Deadline for Debtor to Answer or Otherwise Respond to Complaint* [Adv. Dkt. No. 53], setting June 2, 2021 as the deadline for the Debtor to answer or otherwise respond to the Complaint;

WHEREAS, the Parties have conferred and desire to enter into a mutually agreeable proposed schedule, as specifically set forth below.

NOW, THEREFORE, it is hereby stipulated and agreed, and upon approval of this Stipulation by the Court, it shall be SO ORDERED:

1. The Parties agree to the following schedule (the “Proposed Joint Scheduling Order”), in lieu of that provided in the Alternative Scheduling Order:

<i>Proposed Joint Scheduling Order</i>		
	<u>Event</u>	<u>Deadline</u>
1	Debtor’s Answer or Response	June 2, 2021
2	Service of Written Discovery Requests	June 4, 2021
3	Service of Written Responses to Discovery	June 18, 2021
4	Completion of Fact Discovery	June 25, 2021
5	Expert Disclosures	July 16, 2021
6	Completion of Expert Discovery	August 16, 2021
7	Dispositive Motions	August 23, 2021

8	Exhibit and Witness Lists	September 20, 2021
9	Joint Pretrial Order	September 27, 2021
10	Proposed Findings of Fact and Conclusions of Law	September 27, 2021
11	Trial Docket Call	October 4, 2021 at 1:30 p.m. (CT)
12	Trial Week Begins	October 17, 2021

2. If approved by the Court, the Proposed Joint Scheduling Order shall only be modified in a writing signed by the Parties or upon the entry of an order of the Court entered upon notice to the Parties.

3. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of this Stipulation, subject to any objection to the Court's jurisdiction or core jurisdiction and subject to any motion for the withdrawal of the reference, with respect to which all parties reserve their rights, if any.

[Remainder of this page intentionally left blank.]

Dated: May 14, 2021

Respectfully submitted,

By /s/ Kathryn George

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By /s/ John A. Morris

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*Counsel for Highland Capital Management,
L.P.*

CERTIFICATE OF SERVICE

I, Martin Sosland, certify that this *Stipulation and Proposed Scheduling Order* was filed electronically through the Court's ECF system, which provides notice to all parties of interest.

Dated: May 14, 2021

/s/ Martin Sosland