

No. 20-cv-3408-G

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

IN RE: HIGHLAND CAPITAL MANAGEMENT, L.P.
Debtor.

UBS SECURITIES LLC AND UBS AG LONDON BRANCH,
Appellants,

v.

HIGHLAND CAPITAL MANAGEMENT, L.P.,
Appellee.

On Appeal from the United States Bankruptcy Court
for the Northern District of Texas
(No. 19-bk-34054—Hon. Stacey G. Jernigan)

JOINT STATEMENT OF PARTIES REGARDING STATUS OF APPEAL

Appellants UBS Securities LLC and UBS AG London Branch (collectively, “UBS”) and Appellee Highland Capital Management, L.P., wish to advise the Court regarding the status of this appeal as follows:

1. On April 15, 2021, in Case No. 19-bk-34054-sgj11 in the United States Bankruptcy Court for the Northern District of Texas (the “Bankruptcy Court”), the Appellee filed the *Debtor’s Motion for Entry of an Order Approving Settlement With UBS Securities LLC and UBS AG London Brank and Authorizing Actions Consistent*



Therewith, which sought approval of a settlement agreement between UBS and the Appellee (the “Settlement Agreement”).

2. On May 27, 2021, the Bankruptcy Court entered the *Order Approving Debtor’s Settlement With UBS Securities LLC and UBS AG London Branch and Authorizing Actions Consistent Therewith* (the “Settlement Order”), approving the Settlement Agreement pursuant to Federal Rule of Bankruptcy Procedure 9019. (*See* Bankr. Dkt., ECF No. 2389 (Settlement Order); *id.* at Ex. 1 (Settlement Agreement).)

3. The Settlement Agreement provides that on the tenth (10th) business day following entry of the Settlement Order (*i.e.* June 11, 2021), following the payment of certain amounts by affiliates of the Appellee to UBS, UBS will voluntarily dismiss this Appeal.

4. UBS and the Appellee have agreed to a form of joint stipulation dismissing this Appeal, which they intend to file with this Court as early as June 11, 2021, upon the satisfaction of the attendant conditions precedent to such dismissal under the Settlement Agreement.

Dated: June 9, 2021

Respectfully submitted,

/s/ Andrew Clubok

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CERTIFICATE OF SERVICE

I certify that this document was filed electronically through the Court's ECF system, which will notify all registered participants as identified on the Notice of Electronic Filing.

Dated: June 9, 2021

/s/ Martin Sosland
Martin Sosland