

Non-Exclusive Schedule of Retained Causes of Action¹

This non-exclusive schedule identifies claims and causes of action to be transferred to, retained by and vest in the Litigation Trust in connection with the Plan. The Debtors expressly reserve the right to alter, modify, amend, remove, augment or supplement this schedule at any time in accordance with the Plan.

Subject to Articles IV and VIII of the Plan (including, without limitation, the releases in favor of the Released Parties referenced therein) and except as expressly provided in any contract, instrument, release or other agreement entered into or delivered in connection with the Plan, on and after the Effective Date, the Litigation Trust (or the Litigation Trustee on its behalf) shall have the sole right to enforce and/or prosecute any claims, demands, rights and Causes of Action (including any Avoidance Actions) that any of the Debtors or their Estates may hold against any Entity, to the extent not released under the Plan and in accordance with the Litigation Trust Agreement. The Litigation Trust (or Litigation Trustee on its behalf), solely to the extent provided in the Plan and the Litigation Trust Agreement, may pursue or not pursue such claims, demands, rights or Causes of Action, as the Litigation Trustee may deem appropriate in its sole discretion in accordance with the Litigation Trust Agreement.

All rights to commence and pursue, as appropriate, any and all Causes of Action, whether arising before or after the Petition Date, and the Litigation Trust's (or the Litigation Trustee's) rights to commence, prosecute or settle such Causes of Action, solely to the extent provided in the Plan, shall be preserved for the sole benefit of the Litigation Trust, notwithstanding the occurrence of the Effective Date.

The Debtors' inclusion or failure to include any right of action or claim on this schedule shall not be deemed an admission, denial or waiver of any claims, demands, rights or Causes of Action that any of the Debtors, the Estates, or the Litigation Trust may hold against any Entity. In addition, no Entity may rely on the absence of a specific reference in the Plan, this schedule, any other Plan Supplement document, the Disclosure Statement, or any other document entered into in connection with the Plan to any Cause of Action as any indication that the Litigation Trust (solely to the extent provided in the Plan and the Litigation Trust Agreement) shall or will not pursue any and all available Causes of Action.

Retained Causes of Action

In particular, the Causes of Actions that will be retained by the Debtors or their Estates and, on the Effective Date, transferred to and vest in the Litigation Trust, shall include without limitation any and all Causes of Action the Estates may have against the Non-Released Parties (but, for the avoidance of doubt, shall not include any Causes of Action against any Released Parties), which Entities shall include, without limitation, Beneficient, its current and former directors and officers (including, without limitation, Bradley K. Heppner, Thomas O. Hicks, Bruce

¹ Capitalized terms used but not defined herein have the meanings assigned to them in the Debtors' Further Modified Second Amended Joint Chapter 11 Plan, Submitted By The Debtors, The Bondholder Committee, And L Bond Management, LLC As Co-Proponents [Docket No. 1698] (as may be further amended, modified and/or supplemented, the "Plan").

W. Schnitzer, Dennis P. Lockhart, and Peter T. Cangany), HCLP Nominees, L.L.C., the Debtors' former directors (but, for the purpose of clarity, not the directors serving on the date the Confirmation Order is entered) and officers (including, without limitation, Murray Holland and Timothy Evans) in their capacity or capacities as such, and any Entities affiliated with or otherwise related to the foregoing, and the Debtors' prepetition legal counsel. Such Causes of Action include, but are not limited to, all causes of action and relief available under sections 105(a), 510(c), 542 through 551, and 553 of the Bankruptcy Code, and analogous state and common law, including, without limitation, Avoidance Actions and claims for breach of fiduciary duty, aiding and abetting breach of fiduciary duty, unlawful dividend, and unjust enrichment.

Examples of the Retained Causes of Action include, among others:

- i. Causes of Action arising from or relating to the series of transactions between the Debtors and Beneficient resulting in the separation of the Debtors from Beneficient, effective as of November 29, 2021, including the Claims described in the Disclosure Statement, at pages 11-12;
- ii. Causes of Action arising from or relating to the Company's investments in, loans to, or other advances to Beneficient, including the Claims described in the Disclosure Statement, at pages 12-13;
- iii. Causes of Action arising from or relating to the subordination of the Debtors' Preferred Series C interests in Beneficient Company Holdings, L.P., including the Claims described in the Disclosure Statement, at pages 13-14;
- iv. Causes of Action arising from or relating to the Current Report on Form 8-K, filed by GWGH on March 11, 2021, including the Claims described in the Disclosure Statement, at page 14;
- v. Causes of Action arising from or relating to the Current Report on Form 8-K, filed by GWGH on October 21, 2019, including the Claims described in the Disclosure Statement, at pages 14-15;
- vi. Causes of Action arising from or relating to the special dividend issued by GWGH to its shareholders on or about December 28, 2018, including Jon R. Sabes and Steven F. Sabes, including the Claims described in the Disclosure Statement, at page 15;
- vii. Causes of Action based on allegations that GWGH's business model had the hallmarks of a Ponzi scheme, including the Claims described in the Disclosure Statement, at pages 15-16;
- viii. Causes of Action arising from or relating to the Debtors' payments of commissions and other transfers to certain Broker Dealer(s), including the Claims described in the Disclosure Statement, at pages 15-16;
- ix. Causes of Action against the Debtors' prepetition legal counsel solely to the extent arising from such counsel's prepetition advice to the Debtors and/or any former

directors or officers of the Debtors other than advice directly relating to the preparation and filing of the Chapter 11 Cases;

- x. Causes of Action asserting that any transfer of an interest of the Debtors in property, or any obligation incurred by the Debtors, constitutes an actual or constructive fraudulent transfer; and
- xi. Causes of Action asserting that some or all of the Non-Released Parties breached their fiduciary duties to the Debtors, or aided and abetted such breaches.

For the avoidance of doubt, notwithstanding anything to the contrary herein, including the foregoing, any and all Causes of Action released, excused, or enjoined pursuant to the Plan shall not be retained by the Debtors or Wind Down Debtors or vest in the Litigation Trust or any other Entity on the Effective Date.

No Entity may rely on the absence of a specific reference in this Plan, the Litigation Trust Agreement, the Plan Supplement, or the Disclosure Statement to any Cause of Action against it as any indication that the Debtors or the Litigation Trust, as applicable, will not pursue any and all available Causes of Action against it. The Litigation Trust, as applicable, expressly reserves all rights to prosecute any and all Causes of Action against any Entity, except as otherwise expressly provided in the Plan, including Article VIII of the Plan. Unless a Retained Cause of Action against an Entity is expressly waived, relinquished, released, compromised or settled in the Plan or any Final Order (including the Confirmation Order), the Debtors and the Litigation Trust expressly reserve such Retained Cause of Action for determination by the Litigation Trust (including, without limitation, Retained Causes of Action not specifically identified or described in this Schedule or elsewhere or of which the Debtors may presently be unaware or which may arise or exist by reason of additional facts or circumstances unknown to the Debtors at this time or facts or circumstances which may change or be different from those the Debtors now believe to exist), and, therefore, no preclusion doctrine, including, without limitation, the doctrines of res judicata, collateral estoppel, issue preclusion, claim preclusion, waiver, estoppel (judicial, equitable or otherwise) or laches shall apply to such Retained Causes of Action upon or after the entry of the Confirmation Order or the Effective Date based on the Disclosure Statement, the Plan or the Confirmation Order, except where such Retained Causes of Action have been explicitly released in the Plan (including, without limitation, and for the avoidance of doubt, the releases contained in Article VIII.C of the Plan), or any other Final Order (including the Confirmation Order). In addition, the Debtors and the Litigation Trust expressly reserve the right to pursue or adopt any claims alleged in any lawsuit in which the Debtors are a defendant or an interested party, against any Entity, including, without limitation, the plaintiffs or co-defendants in such lawsuits.