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*Counsel for Highland Capital Management, L.P.
 and the Highland Claimant Trust*

**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
)	
Reorganized Debtor.)	
)	
)	
DUGABOY INVESTMENT TRUST and)	
HUNTER MOUNTAIN INVESTMENT TRUST,)	Adv. Pro. No. 23-03038-sgj
)	
Plaintiffs,)	
)	
vs.)	
)	
HIGHLAND CAPITAL MANAGEMENT, L.P.)	
and HIGHLAND CLAIMANT TRUST,)	
)	
Defendants.)	
)	

¹ The Reorganized Debtor's last four digits of its taxpayer identification number are (8357). The headquarters and service address for the Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.



THE HIGHLAND PARTIES' MOTION TO DISMISS COMPLAINT TO (I) COMPEL DISCLOSURES ABOUT THE ASSETS OF THE HIGHLAND CLAIMANT TRUST AND (II) DETERMINE (A) RELATIVE VALUE OF THOSE ASSETS, AND (B) NATURE OF PLAINTIFFS' INTERESTS IN THE CLAIMANT TRUST

Highland Capital Management, L.P. ("Highland" or the "Debtor," as applicable), and the Highland Claimant Trust (the "Claimant Trust," and together with Highland, the "Highland Parties"), the defendants in the above-captioned adversary proceeding, by and through their undersigned counsel, file this motion (the "Motion") seeking entry of an order dismissing the *Complaint to (I) Compel Disclosures About the Assets of the Highland Claimant Trust and (II) Determine (A) Relative Value of Those Assets, and (B) Nature of Plaintiffs' Interest in the Claimant Trust* [Docket No. 1] (the "Complaint") filed by The Dugaboy Investment Trust (Dugaboy) and Hunter Mountain Investment Trust ("HMIT"). In support of its Motion, the Highland Parties state as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334.
2. This is a core proceeding pursuant to 28 U.S.C. 157(b).
3. Venue is proper in this district pursuant to 28 U.S.C. § 1409(a).

RELIEF REQUESTED

4. The Highland Parties request that the Court issue the proposed form of order attached as **Exhibit A** (the "Proposed Order") pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, made applicable herein by Rule 7012 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules").

5. For the reasons set forth more fully in the Highland Parties' *Memorandum of Law in Support of Highland Capital Management, L.P. and the Highland Claimant Trust's Motion to Dismiss Complaint* (the "Memorandum of Law") filed contemporaneously with this Motion and in accordance with Rule 7007-1(g) of the *Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas*, the Highland Parties request that the Court: (a) dismiss the Complaint in its entirety and (b) grant the Highland Parties such other and further relief as the Court deems just and proper under the circumstances.

6. Based on the arguments contained in the Memorandum of Law, the Highland Parties are entitled to the relief requested herein as set forth in the Proposed Order.

7. Notice of this Motion has been provided to all parties. The Highland Parties submit that no other or further notice need be provided.

WHEREFORE, the Highland Parties respectfully request that the Court (i) enter the Proposed Order substantially in the form annexed hereto as **Exhibit A** granting the relief requested herein, and (ii) grant the Highland Parties such other and further relief as the Court may deem proper.

Dated: November 22, 2023

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-and-

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EXHIBIT A

**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
Reorganized Debtor.)	
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HIGHLAND CAPITAL MANAGEMENT, L.P.)	
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ORDER GRANTING MOTION TO DISMISS

Before the Court is the *Highland Parties' Motion to Dismiss Complaint to (I) Compel Disclosures About the Assets of the Highland Claimant Trust and (II) Determine (A) Relative Value of Those Assets, and (B) Nature of Plaintiffs' Interest in the Claimant Trust* [Docket No. ___] (the "Motion"). Having considered (a) the Motion and (b) the Highland Parties' *Memorandum of Law in Support of Highland Capital Management, L.P. and the Highland Claimant Trust's Motion to Dismiss Complaint* [Docket No. ___] (the "Memorandum of Law"); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this Court having found that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. § 1409; and this Court having found that the Highland Parties' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and that no other notice need be provided; and this Court having determined that the legal and factual bases set forth in the Motion establish good cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, and for the reasons set forth in the record on this Motion, it is **HEREBY ORDERED THAT:**

1. The Motion is **GRANTED**.
2. The Action is **DISMISSED** with prejudice.
3. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

###End of Order###