UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re: HIGHLAND CAPITAL MANAGEMENT, L.P., Reorganized Debtor.	Chapter 11 Case No. 19-34054-sgj11
HUNTER MOUNTAIN INVESTMENT TRUST, Plaintiff, v. JAMES D. DONDERO; SCOTT ELLINGTON; ISAAC LEVENTON; GRANT JAMES SCOTT III; STRAND ADVISORS, INC.; NEXPOINT ADVISORS, L.P.; HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.; DUGABOY INVESTMENT TRUST AND NANCY DONDERO, AS TRUSTEE OF DUGABOY INVESTMENT TRUST; GET GOOD TRUST AND GRANT JAMES SCOTT III, AS TRUSTEE OF GET GOOD TRUST; MASSAND CAPITAL, LLC; MASSAND CAPITAL, INC.; AND SAS ASSET RECOVERY, LTD., Defendants.	Adv. Pro. No. 21-03076-sgj **Civil Action No. 3:22-CV-203-S** *Consolidated with:* Case No. 3:22-CV-229 Case No. 3:22-CV-253 Case No. 3:22-CV-367 Case No. 3:22-CV-369 Case No. 3:22-CV-370 **PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME**

Plaintiff Hunter Mountain Investment Trust ("HMIT") files this Unopposed Motion for Extension of Time ("Motion"), and would show as follows:

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I. INTRODUCTION

1. HMIT is the assignee of the claims originally asserted by Mark Kirschner as Litigation Trustee pursuant to a settlement agreement approved by the Bankruptcy Court on June 30, 2025 [Bk. Doc. 4217-1, 4297].[1] HMIT has been formally substituted as the plaintiff in the underlying Adversary Proceeding[2] by order of the Bankruptcy Court. *Order Granting Motion to Substitute* [Adv. Doc. 377].

2. Pursuant to HMIT's earlier *Motion to Reopen Case and Request for Status Conference* [Doc. 32] this Court conducted a status conference on May 6, 2026 ("Status Conference"). During the Status Conference, the Court instructed HMIT to file an amended complaint within two weeks following a ruling on Dugaboy's *Motion for Relief from Order and Motion to Vacate* [Bk. Doc. 4513] ("Motion to Vacate"). *See Transcript of Status Conference Proceedings Held on May 6, 2026* [Doc. 47] ("Transcript"), 54:3-15. The Court also requested that the parties confer and submit, within the same two-week timeframe, a new proposed scheduling order[3] and an agreed order withdrawing the reference of this case from the Bankruptcy Court. *See* Transcript, 55:9-56:17.

3. The prospect of entering a formal stay pending resolution of Dugaboy's Motion to Vacate was discussed at the Status Conference and, although no decision was

[1] "Bk. Doc." refers the docket in Chapter 11 Case No. 19-34054-sgj11, *In re: Highland Capital Management, L.P.* ("Bankruptcy Case").

[2] "Adv. Doc." refers to the docket in Adv. Pro. No. 21-03076-sgj ("Adversary Proceeding").

[3] Or alternative proposed orders if an agreement could not be reached.

made at that time,[4] the Court ultimately elected to do so. *See Order* [Doc. 44]. The Bankruptcy Court then conducted a hearing on the Motion to Vacate and entered its ruling denying the Motion to Vacate on June 15, 2026. *See Joint Notice of Ruling* [Doc. 45]. Accordingly, HMIT filed a *Motion to Lift Stay* [Doc. 48] on June 24, 2026, which remains pending at this time.

4. In light of the pending stay, HMIT respectfully requests extensions of the deadlines to file (1) an amended complaint, (2) proposed scheduling orders, and (3) an agreed order withdrawing the reference, until two weeks after the stay is lifted. Further, HMIT is sorting through multiple pleading issues, several of which were discussed during the Status Conference, and needs additional time before amending its pleading. The Court indicated, during the status conference, that is would likely grant an extension of the deadline if its was requested to do so. *See* Transcript at 40:9-14.

For the foregoing reasons, Plaintiff Hunter Mountain Investment Trust respectfully requests the Court grant this Motion, extend the deadlines to file an amended complaint, a proposed scheduling order, and an agreed order withdrawing the reference, pursuant to the Court's instructions at the Status Conference, until two-weeks after the stay imposed by the Court's May 7, 2026 Order [Doc. 44] is lifted, and that the Court grant HMIT all such other and further relief to which it may be entitled.

[4] Transcript, 54:17-20.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFF
HUNTER MOUNTAIN INVESTMENT TRUST

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on June 29, 2026, in compliance with the Federal Rules of Civil Procedure.

/s/ Ian B. Salzer
Ian B. Salzer

CERTIFICATE OF CONFERENCE

I certify that a videoconference was conducted between counsel for the parties on June 25, 2026, and counsel for Defendants indicated that they were unopposed to the relief requested in this Motion.

/s/ Ian B. Salzer
Ian B. Salzer

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ORDER EXTENDING DEADLINES

The Court, having considered Plaintiff Hunter Mountain Investment Trust's ("HMIT") Unopposed Motion for Extension of Time ("Motion"), finds that the Motion should be and is **GRANTED**.

IT IS THEREFORE ORDERED that the deadlines to file an amended complaint, a proposed scheduling order, and an agreed order withdrawing the reference, pursuant to the Court's instructions at the May 6, 2026, status conference, are extended until two-weeks after the stay imposed by the Court's May 7, 2026, Order [Doc. 44] is lifted.

SO ORDERED.

SIGNED _____, 2026

KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE