Docket #0064 Date Filed: 9/9/2026

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

DEFENDANTS' UNOPPOSED MOTION TO EXTEND BRIEFING SCHEDULE ON RULE 12 MOTION

Defendants NexPoint Advisors, L.P., NexPoint Asset Management, L.P. f/k/a Highland Capital Management Fund Advisors, L.P., James Dondero, The Dugaboy Investment Trust, Get Good Trust, Strand Advisors, Inc., Scott Ellington, and Isaac Leventon (collectively, "Defendants"), file this Unopposed Motion to Extend Briefing Schedule on Rule 12 Motion as follows:

I. GROUNDS FOR UNOPPOSED MOTION

On August 18, 2026, the Court entered an order setting the briefing schedule, as follows: Defendants' deadline to file their Consolidated Rule 12 Motion would be September 16, 2026; Plaintiff's deadline to file a response to the Consolidated Rule 12 Motion would be October 28, 2026; and Defendants' deadline to file a reply in support of the Consolidated Rule 12 Motion would be November 18, 2026. Dkt. No. 62.

Due to the complexity of the issues here and scheduling conflicts with other cases, Defendants requested an extension with respect to each of the deadlines related to the Consolidated Rule 12 Motion. Plaintiff Hunter Mountain Investment Trust ("HMIT" or Plaintiff") does not oppose this request. Specifically, Defendants have requested (and Plaintiff does not oppose) a new briefing schedule, as follows: Defendants' deadline to file their Consolidated Rule 12 Motion would be September 25, 2026; Plaintiff's deadline to file a response to the Consolidated Rule 12 Motion would be November 12, 2026; and Defendants' deadline to file a reply in support of the Consolidated Rule 12 Motion would be December 4, 2026.

II. CONCLUSION

Therefore, Defendants request that the Court enter the Unopposed Order to Extend Briefing Schedule on Rule 12 Motion, as follows: Defendants' deadline to file their Consolidated Rule 12 Motion would be September 25, 2026; Plaintiff's deadline to file a response to the Consolidated Rule 12 Motion would be November 12, 2026; and Defendants' deadline to file a reply in support of the Consolidated Rule 12 Motion would be December 4, 2026.

September 8, 2026

Respectfully submitted,

STINSON LLP

/s/ Deborah Deitsch-Perez
Deborah Deitsch-Perez
Texas State Bar No. 24036072
Michael P. Aigen
Texas State Bar No. 24012196
2200 Ross Avenue, Suite 2900
Dallas, Texas 75201
Telephone: (214) 560-2201
Facsimile: (214) 560-2203
deborah.deitschperez@stinson.com
michael.aigen@stinson.com

Counsel for Defendants NexPoint Advisors, L.P. and NexPoint Asset Management, L.P. f/k/a Highland Capital Management Fund Advisors, L.P.

/s/ Amy L. Ruhland
Amy L. Ruhland
Texas Bar No. 24043561
amy.ruhland@pillsburylaw.com
PILLSBURY WINTHROP SHAW PITTMAN LLP
401 W 4th Street, Suite 3200
Austin, TX 78701
(512) 580-9600

Attorneys for James Dondero, The Dugaboy Investment Trust, Get Good Trust, and The Strand Advisors, Inc.

/s/Debra A. Dandeneau
Michelle Hartmann
State Bar No. 24032402
BAKER & MCKENZIE LLP
1900 North Pearl, Suite 1500
Dallas, Texas 75201
Telephone: 214-978-3000
Facsimile: 214-978-3099
Michelle.hartmann@bakermckenzie.com

Debra A. Dandeneau
Blaire Cahn
BAKER & MCKENZIE LLP

452 Fifth Ave
New York, NY 10018
Telephone: 212-626-4100
Facsimile: 212-310-1600
Debra.dandeneau@bakermckenzie.com
Blaire.cahn@bakermckenzie.com
(Admitted pro hac vice)

Counsel for Scott Ellington and Isaac Leventon

and

/s/Sawnie A. McEntire
Sawnie A. McEntire
Texas Bar No. 13590100
Smcentire@pmmlaw.com
Michael Marconi
Texas Bar No. 00784524
mmarconi@pmmlaw.com
PARSONS MCENTIRE MCCLEARY PLLC
1700 Pacific Avenue, Suite 4400
Dallas, Texas 75201
Tel. (214) 237-4300
Fax (214) 237-4340

ATTORNEYS FOR PLAINTIFF.
HUNTER MOUNTAIN INVESTMENT TRUST

CERTIFICATE OF CONFERENCE

Pursuant to the applicable rules, I certify that counsel for Defendants conferred with counsel for Plaintiff regarding the relief sought in this Motion. Counsel for Plaintiff does not oppose the relief sought.

/s/Deborah Deitsch-Perez
Deborah Deitsch-Perez

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on September 8, 2026, 2026, a true and correct copy of this document was served electronically via the court's CM/ECF system.

/s/Deborah Deitsch-Perez
Deborah Deitsch-Perez

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

PROPOSED UNOPPOSED ORDER ON MOTION TO EXTEND BRIEFING SCHEDULE ON RULE 12 MOTION

Before the Court is Defendants' Unopposed Motion to Extend Briefing Schedule on Rule 12 Motions (Dkt. No. 64). On August 5, 2026, Plaintiff filed its Second Amended Complaint. The parties have agreed on the briefing schedule for a Rule 12 Motion that will be filed in response to the Second Amended Complaint.

As a result, the Court **ORDERS** as follows:

1. The Defendants shall file their consolidated Rule 12 Motion in response to the Second Amended Complaint by September 25, 2026.

2. Plaintiff shall respond to Defendants' Consolidated Rule 12 Motion by November 12, 2026.

3. Defendants may file their reply brief in support of their Rule 12 Motion by December 4, 2026.

SO ORDERED.

SIGNED _____, 2026.

_____

KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE