Docket #0074 Date Filed: 11/2/2026

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; 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 LEAVE TO EXCEED PAGE LIMITATION**

PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE A RESPONSE IN EXCESS OF THE PAGE LIMITATION IN N.D. TEX. CIV. R. 7.2(c)

Plaintiff, Hunter Mountain Investment Trust ("HMIT"), respectfully moves for leave to file a response to Defendants' Motion to Dismiss (Doc. 68) and Memorandum of Law (Doc. 69) that exceeds the page limitation in Local Civil Rule 7.2(c). Defendants do not oppose this motion. HMIT shows the Court as follows:

1. On September 25, 2026, eight Defendants, James Dondero, Strand Advisors, Inc., The Dugaboy Investment Trust, Get Good Trust, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Scott Ellington, and Isaac L

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HMIT's Second Amended Complaint (Doc. 59). Docs. 68, 69. With leave of Court, Defendants filed a 75-page memorandum, Doc. 69, supported by an appendix exceeding 1,750 pages. Docs. 70, 71. HMIT's response is due November 12, 2026.

2. Local Civil Rule 7.2(c) limits a brief to twenty-five (25) pages, excluding the table of contents and table of authorities, and permits a longer brief for "extraordinary and compelling reasons." Such reasons exist here.

3. Represented by three firms, Defendants seek dismissal of the twenty-eight (28) counts asserted against them, and they also challenge two counts asserted only against non-moving parties. Their memorandum presents twenty-seven (27) separately captioned arguments under Rules 12(b)(1), 12(b)(6), and 9(b) and 28 U.S.C. § 1334(c)(1), implicating federal bankruptcy law and the law of both Texas and Delaware. The Table of Counts identifies 144 distinct arguments purportedly supporting dismissal. Doc. 69 at xii–xvii. Defendants then attach three tables concerning individual transfers and transactions, *id.* at 74–77. Defendants also cite 123 cases.

4. A twenty-five (25) page limit imposes an unreasonable limitation on the Plaintiff and its response to demonstrate that the Defendants' arguments are flawed, whether taken individually or as a whole, and do not support dismissal. To do so, among other matters, HMIT must address post-confirmation jurisdiction, abstention, and standing under the confirmed Plan; the inapplicability of statutes of limitations and repose on a transaction-by-transaction basis; the inapplicability of res judicata; the effect of Highland Capital Management's limited partnership agreement; and the sufficiency of each count under Fed. R. Civ. P. 8(a) and 9(b). Because Defendants seek dismissal of the entire Complaint, Doc. 69 at 70, a response that omitted any of those issues would risk forfeiting claims on grounds never reached by the Court on the merits. Defendants themselves required seventy-five (75) pages to present their motion, not including the attached tables or appendix.

5. HMIT therefore respectfully requests that the Court grant leave to file a response opposing Defendants' Motion to Dismiss of no more than eighty-five (85) pages, exclusive of the table of contents and table of authorities and grant such other relief as the Court deems just.

Respectfully submitted,

/s/ *Sawnie A. McEntire*

SAWNIE A. MCENTIRE
Texas Bar No. 13590100
Michael Marconi
Texas Bar No. 00784524

PARSONS MCENTIRE MCCLEARY PLLC
1700 Pacific Avenue, Suite 4400
Dallas, Texas 75201
(214) 237-4300
(214) 237-4340 [Fax]
smcentire@pmmlaw.com
jparsons@pmmlaw.com
jmcgoldrick@pmmlaw.com

Attorneys for Plaintiff Hunter Mountain Investment Trust

CERTIFICATE OF CONFERENCE

On October 30, 2026, counsel for HMIT conferred with counsel for the moving Defendants regarding the relief requested in this motion. Counsel for Defendants stated that Defendants do not oppose the relief requested.

/s/ *Michael Marconi*

MICHAEL MARCONI

CERTIFICATE OF SERVICE

On November 2, 2026, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ *Sawnie A. McEntire*

SAWNIE A. MCENTIRE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE A RESPONSE IN EXCESS OF THE PAGE LIMITATION IN N.D. TEX. CIV. R. 7.2(C)

Before the Court is Plaintiff Hunter Mountain Investment Trust's Unopposed Motion for Leave to File a Response in Excess of the Page Limitation in N.D. Tex. Civ. R. 7.2(c) (the "Motion"). Having considered the Motion, the record, and the applicable law, the Court is of the opinion that the Motion should be GRANTED.

It is therefore ORDERED that the Motion is GRANTED. Plaintiff may file a response to Defendants' Motion to Dismiss (Doc. 68) of no more than 85 pages, exclusive of the table of contents and table of authorities.

Signed this ____ day of November, 2026.

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KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE