STINSON LLP

Deborah Deitsch-Perez Michael P. Aigen 2200 Ross Avenue, Suite 2900 Dallas, Texas 75201

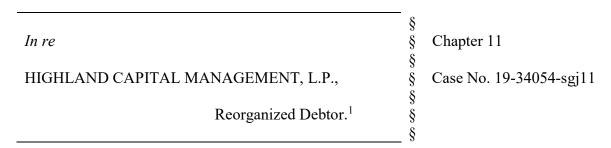
Telephone: (214) 560-2201 Facsimile: (214) 560-2203

Email: deborah.deitschperez@stinson.com

Email: michael.aigen@stinson.com

Counsel for Hunter Mountain Investment Trust

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION



HUNTER MOUNTAIN INVESTMENT TRUST'S RESPONSE TO HIGHLAND CLAIMANT TRUST'S MOTION FOR AN ORDER EXTENDING DURATION OF TRUST

Hunter Mountain Investment Trust ("HMIT") hereby responds to the motion of the Highland Claimant Trust ("Claimant Trust"), formed under the confirmed and effective Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (As Modified) [Dkt. 1808] ("Plan"), for entry of an order extending the duration of the Claimant Trust for one year (the "Motion") [Dkt. 4100].²

1. Counsel for the Claimant Trust filed the Motion without conferencing with HMIT or, it seems, any other party. If it had done so, a stipulation surely could have been reached. Instead,

² HMIT reserves the right to separately and timely respond to Highland Claimant Trust's Amended Motion for an Order Extending Duration of Trusts [Dkt. 4109].



¹ The Fifth Amended Plan of Reorganization of Highland Capital Management, L.P., (As Modified) [Dkt. 1808] ("Plan"), filed by Highland Capital Management, L.P. ("HCMLP") became effective on August 11, 2021 (the "Effective Date").

Case 19-34054-sqi11 Doc 4120 Filed 07/10/24 Entered 07/10/24 18:51:14 Desc Page 2 of 3 Main Document

counsel is using the current Motion as a strategic opportunity to gratuitously bash former equity and

others and, of course, to incur additional fees.

2. HMIT recognizes that an extension is necessary because there are still funds that have

not been distributed and assets that have not been monetized necessitating the continuing existence

of a vehicle to hold the funds and assets that are later monetized. But HMIT also submits that the

Motion fails to provide any financial data to support the Motion other than conclusory, unsupported

references to litigation.

3. HMIT therefore does not object to extending the life of the Claimant Trust for a year,

but responds to make it clear that it continues to maintain (and does not waive any argument), among

other things, that: (i) counsel that filed the Motion has conflicts of interest and is charging unnecessary

fees; (ii) the indemnity fund that has been set aside is excessive; (iii) that creditors should be paid in

full now; (iv) that Mr. Seery should not continue to be paid \$150,000 a month; (v) that HMIT is

entitled to distributions; and (vi) and that this case should be resolved.

Respectfully submitted,

STINSON LLP

/s/ Deborah Deitsch-Perez

Deborah Deitsch-Perez

Texas Bar No. 24036072

Michael P. Aigen

Texas Bar No. 24012196

2200 Ross Avenue, Suite 2900

Dallas, Texas 75201

Telephone: (214) 560-2201

Facsimile: (214) 560-2203

Email: michael.aigen@stinson.com

Email: deborah.deitschperez@stinson.com

Counsel for The Hunter Mountain Investment Trust

2

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 10, 2024, a true and correct copy of this document was served electronically via the Court's CM/ECF system to the parties registered or otherwise entitled to receive electronic notices in this case.

/s/Deborah Deitsch-Perez
Deborah Deitsch-Perez