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

<i>In re</i>	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	Chapter 11
Reorganized Debtor. <sup>1</sup>	§	Case No. 19-34054-sgj11
	§	
	§	
	§	

**HUNTER MOUNTAIN INVESTMENT TRUST’S RESPONSE TO AMENDED MOTION  
FOR AN ORDER EXTENDING DURATION OF TRUST**

Hunter Mountain Investment Trust (“HMIT”) hereby responds to the Amended Motion for an Order Extending Duration of Trusts (the “Amended Motion”) [Dkt. 4109].

1. The Highland Claimant Trust filed its Motion for an Order Extending Duration of Trust on June 16, 2024 [Dkt. 4100] (“Original Motion”). HMIT filed its Response to Highland Claimant Trust’s Motion for an Order Extending Duration of Trust on July 10, 2024 [Dkt. 4120] (“Original Response”).

2. The Highland Claimant Trust and the Highland Litigation Sub-Trust (“Litigation Trust”) filed their Amended Motion for an Order Extending Duration of Trusts on July 1, 2024 [Dkt.

<sup>1</sup> 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*”).



4109] (“Amended Motion”). The Amended Motion changed the original motion by also seeking the extension of the Litigation Trust.<sup>2</sup> In response to the Amended Motion, HMIT incorporates its Original Response [Dkt. 4120] and all arguments and reservations of rights set forth therein, as if set forth herein verbatim.

3. The Litigation Trust has recognized, by staying its only litigation,<sup>3</sup> that litigation to increase the estate’s coffers is unnecessary because the estate has more than sufficient assets to pay all creditors in full. Nonetheless, extremely expensive counsel for the Litigation Trust still appears at hearings, including those not remotely pertinent to the Litigation Trust (which is nearly all of the hearings occurring at this juncture). HMIT therefore respectfully requests that the Litigation Trust and its professionals cease all such activities unless those activities are undertaken at no expense to the estate. For the same reason, if the Litigation Trust or its professionals are receiving any periodic stipends (such as flat fees or data hosting fees), HMIT requests that those also be ceased.<sup>4</sup>

Respectfully submitted,

**STINSON LLP**

*/s/ Deborah Deitsch-Perez*

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<sup>2</sup> Amended Motion at fn. 2.

<sup>3</sup> The Litigation Trustee's Motion to Stay the Adversary Proceeding, filed March 24, 2023, Adv. Pro. No. 21-03076-sgj at Dkt. 324.

<sup>4</sup> Nothing in this response should be construed as a waiver of HMIT’s rights, as allowed by law, to challenge the attorneys’ fees received by either counsel for the Claimant Trust or the Litigation Trust, which rights are specifically reserved.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 22, 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*  
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