

SIDLEY AUSTIN LLP  
Penny P. Reid  
Paige Holden Montgomery  
Juliana L. Hoffman  
2021 McKinney Ave., Suite 2000  
Dallas, Texas 75201  
Telephone: (214) 981-3300  
Facsimile: (214) 981-3400

Matthew A. Clemente (admitted pro hac vice)  
Dennis M. Twomey (admitted pro hac vice)  
Alyssa Russell (admitted pro hac vice)  
One South Dearborn Street  
Chicago, Illinois 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036

*Counsel for the Official Committee of Unsecured Creditors*

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

In re:	)	Chapter 11
	)	
HIGHLAND CAPITAL MANAGEMENT, L.P., <sup>1</sup>	)	
	)	Case No. 19-34054-SGJ11
Debtor,	)	
	)	
OFFICIAL COMMITTEE OF UNSECURED CREDITORS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Adversary Proceeding No. 20-03195
	)	
CLO HOLDCO, LTD., CHARITABLE DAF HOLDCO, LTD., CHARITABLE DAF FUND, LP, HIGHLAND DALLAS FOUNDATION, INC., THE DUGABOY INVESTMENT TRUST, GRANT JAMES SCOTT III IN HIS INDIVIDUAL CAPACITY, AS TRUSTEE OF THE DUGABOY INVESTMENT TRUST, AND AS TRUSTEE OF THE GET GOOD	)	

<sup>1</sup> The Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.



NONEXEMPT TRUST, AND JAMES D. )  
DONDERO, )  
 )  
Defendants. )

**THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' UNOPPOSED  
MOTION FOR LEAVE TO FILE A BRIEF IN EXCESS OF TWENTY-FIVE PAGES**

Pursuant to Local Bankruptcy Rule 7007-2(c), the official committee of unsecured creditors (“the Committee”), by and through its undersigned counsel, respectfully requests that the Court grant its Motion for Leave to File a Brief in Excess of Twenty-Five Pages (the “Motion”). In support of this Motion, the Committee states as follows:

1. On December 17, 2020, the Committee initiated this action by filing the adversary complaint. (Docket No. 6.)

2. On April 14, 2021, Defendants Grant James Scott III (“Scott”), CLO Holdco, Ltd. (“CLO Holdco”), Highland Dallas Foundation, Inc. (“HDF”), and James D. Dondero (“Dondero”) filed motions to dismiss for failure to state a claim (Docket Nos. 22, 23, 25, respectively). CLO Holdco, HDF, and Dondero seek alternative relief for a more definite statement. (Docket Nos. 23 and 25.)

3. On April 30, 2021, Defendants The Dugaboy Investment Trust (“Dugaboy”) and Get Good Nonexempt Trust (“Get Good”) filed separate motions to dismiss or, alternatively, motions for a more definite statement (Docket Nos. 30 and 32, respectively, together with the motions to dismiss referenced in paragraph 2, the “Motions to Dismiss”). The Committee’s response deadline to the Motions to Dismiss is currently May 21, 2021.

4. The Motions to Dismiss raise similar arguments in support of dismissal. Because of this overlap, and for the Court’s convenience, the Committee intends to file one consolidated brief in opposition to the Motions to Dismiss, instead of filing five separate opposition briefs (the “Opposition Brief”).

5. Under Local Bankruptcy Rule 7007-2(c), the Opposition Brief may not exceed twenty-five pages unless otherwise authorized by the Court.

6. Compelling reasons exist for this Motion. While the Committee has attempted to keep its Opposition Brief to the Motions to Dismiss as succinct as possible, it submits that its Opposition Brief will need to exceed the twenty-five page limit by no more than fifteen additional pages in order to adequately address all of the arguments raised in the multiple Motions to Dismiss.

7. The Committee has conferred with counsel for Defendants Scott, CLO Holdco, HDF, Dondero, Dugaboy, and Get Good regarding the relief requested in this Motion and they do not oppose.

8. For these reasons, the Committee respectfully requests the Court's leave to exceed the twenty-five page limit found in the local rules by fifteen additional pages, so that the Opposition Brief must not exceed forty pages in length.

9. The Committee's Motion is not submitted for purposes of delay, but rather so that justice may be served.

**REQUESTED RELIEF**

For the foregoing reasons, the Committee respectfully asks the Court to grant the present Motion and allow the Committee to file an Opposition Brief not to exceed forty pages, and grant the Committee such other and further relief as to which it may be justly entitled.

Dated: May 17, 2021

SIDLEY AUSTIN LLP

*/s/ Paige Holden Montgomery*

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Penny P. Reid  
Paige Holden Montgomery  
Juliana L. Hoffman  
2021 McKinney Avenue  
Suite 2000  
Dallas, Texas 74201

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*Counsel for the Official Committee  
of Unsecured Creditors*

**CERTIFICATE OF CONFERENCE**

I hereby certify that, on May 12, 2021, counsel for the Official Committee of Unsecured Creditors has conferred with counsel for Grant James Scott III, CLO Holdco, Ltd., Highland Dallas Foundation, James D. Dondero, The Dugaboy Investment Trust, and the Get Good Nonexempt Trust regarding the relief sought in this motion. Counsel does not oppose the relief requested in this motion.

/s/ Chandler Rognes  
Chandler Rognes

**CERTIFICATE OF SERVICE**

I hereby certify that on May 17, 2021, the foregoing Motion of the Official Committee of Unsecured Creditors for Leave to File a Brief in Excess of Twenty Five Pages was served on all counsel of record via electronic notice through the Court's CM/ECF System.

*/s/ Chandler Rognes* \_\_\_\_\_  
Chandler Rognes

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

In re:	)	Chapter 11
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HIGHLAND CAPITAL MANAGEMENT,	)	
L.P., <sup>1</sup>	)	Case No. 19-34054-SGJ11
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OFFICIAL COMMITTEE OF UNSECURED	)	
CREDITORS,	)	
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Plaintiff,	)	
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vs.	)	Adversary Proceeding No. 20-03195
	)	
CLO HOLDCO, LTD., CHARITABLE DAF	)	
HOLDCO, LTD., CHARITABLE DAF FUND,	)	
LP, HIGHLAND DALLAS FOUNDATION,	)	
INC., THE DUGABOY INVESTMENT	)	
TRUST, GRANT JAMES SCOTT III IN HIS	)	
INDIVIDUAL CAPACITY, AS TRUSTEE OF	)	

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<sup>1</sup> The Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

THE DUGABOY INVESTMENT TRUST, )  
 AND AS TRUSTEE OF THE GET GOOD )  
 NONEXEMPT TRUST, AND JAMES D. )  
 DONDERO, )  
 )  
 Defendants. )

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**ORDER GRANTING THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS’  
 UNOPPOSED MOTION FOR LEAVE TO FILE A BRIEF IN EXCESS OF  
TWENTY-FIVE PAGES**

Upon consideration of the official committee of unsecured creditors’ (the Committee)  
*Unopposed Motion for Leave to File a Brief in Excess of Twenty-Five Pages* (the “Motion”),

**IT IS HEREBY ORDERED** that:

1. The Motion is **GRANTED**.
2. The Committee may file an Opposition Brief<sup>2</sup> in excess of the twenty-five page limitation provided under the local rules. The Committee’s Opposition Brief shall not exceed forty pages.
3. The Court shall retain jurisdiction over all matters arising from or relating to the interpretation or implementation of this Order.

### END OF ORDER ###

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<sup>2</sup> Capitalized terms used but not defined herein shall have the respective meanings given to them in the Motion.