
No. 3:23-cv-02071-E

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

In the Matter of Highland Capital Management, L.P.,
Debtor.

Hunter Mountain Investment Trust,

Appellant,

v.

Highland Capital Management, L.P., et al.

Appellees.

NOTICE OF SUPPLEMENTAL AUTHORITY

On Appeal from the United States Bankruptcy Court for the
Northern District of Texas, Case No. 19-34054-sgj,
Hon. Stacey G.C. Jernigan

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Capital Management L.L.C.; and
Stonehill Capital Management, LLC*

Pursuant to Rule 8014(f) of the Federal Rules of Bankruptcy Procedure, appellees Highland Capital Management, L.P. (“HCMLP”), Highland Claimant Trust (“Claimant Trust”), and James. P. Seery, Jr. (together with HCMLP and the Claimant Trust, the “Highland Parties”) and appellees Farallon Capital Management, L.L.C., Stonehill Capital Management LLC, Muck Holdings, LLC, and Jessup Holdings LLC (collectively, the “Claim Purchasers”; together with the Highland Parties, “Appellees”), file this notice of supplemental authority to advise this Court of the Bankruptcy Court’s recent Memorandum Opinion and Order in *Dugaboy Investment Trust, et al. v. Highland Capital Management, L.P., et al.*, No. 23-03038-sgj (Bankr. N.D. Tex. May 24, 2024), ECF No. 26 (the “Order”). A copy of the Order is attached to this notice as Exhibit A.

In its Order, the Bankruptcy Court dismissed an adversary proceeding filed in the underlying bankruptcy case by Hunter Mountain Investment Trust (“HMIT”), the appellant in this action. The Bankruptcy Court’s discussion of: (1) its decision on appeal in this action (pages 13–16 of the Order), and (2) HMIT’s lack of standing to bring claims against the Highland Parties (pages 8–11 and 28–32 of the Order) is “pertinent and significant authorit[y]” relevant to the issues on appeal in this action, Fed. R. Bankr. P. 8014(f), including the parties’ standing arguments (*see* HMIT’s Br. at 23-40, ECF No. 29; Highland Parties’ Br. at 27–33, ECF No. 35; Claim Purchasers’ Br. at 22–36, ECF No. 34; HMIT’s Reply Br. at 3-22, EFC No. 38).

Respectfully submitted,

Dated: June 10, 2024

/s/ John A. Morris

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CERTIFICATE OF COMPLIANCE

This document complies with the word limit of FED. R. BANKR. P. 8015(a)(7)(B) because, excluding the parts of the document exempted by FED. R. BANKR. P. 8015(g), this document contains 248 words; and

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/s/ Omar J. Alaniz

Omar J. Alaniz

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing has been served on all counsel of record via Electronic Case Filing on the 10th day of June 2024.

/s/ Omar J. Alaniz

Omar J. Alaniz