




CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed June 22, 2024


United States Bankruptcy Judge

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

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

Chapter 11

Case No. 19-34054-sgj

**ORDER EXTENDING STAY OF CONTESTED MATTER
[DOCKET NO. 4000]**

Having considered (a) *Highland's Motion to Stay Contested Matter [Dkt No. 4000] or for Alternative Relief [Docket No. 4013]* (the "Motion"),¹ filed by Highland Capital Management, L.P. ("HCMLP"), the reorganized debtor in the above-referenced bankruptcy case, and the Highland Claimant Trust (the "Trust," and together with HCMLP, "Highland"); (b) *James P. Seery, Jr.'s Joinder to Highland Capital Management, L.P.'s Motion to Stay Contested Matter [Dkt No. 4000] or for Alternative Relief and Emergency Motion to Expedite Hearing on Motion*

¹ Capitalized terms not defined herein shall take on the meaning ascribed to them in the Motion.



for Stay [Docket No. 4019], filed by James P. Seery, Jr.; (c) *Hunter Mountain Investment Trust's Response in Opposition to Highland's Motion to Stay Contested Matter [Dkt No. 4000]* or for *Alternative Relief* [Docket No. 4022], filed by Hunter Mountain Investment Trust ("HMIT"); (d) *Hunter Mountain Investment Trust's Supplement to Response to Motion to Stay* [Docket No. 4087], filed by HMIT; (e) the arguments heard at the hearing on the Motion on June 12, 2024 (the "Hearing"); and (f) all prior proceedings relating to this matter, including (i) the *Order Granting in Part Highland's Motion to Stay Contested Matter* [Docket No. 4033] (the "First Stay Order"), pursuant to which all proceedings in connection with the *Motion for Leave to File a Delaware Complaint* [Docket No. 4000] (the "Motion for Leave") were stayed (the "Stay") until the Court issued an order determining *The Highland Parties' Motion to Dismiss Complaint to (I) Compel Disclosures About the Assets of the Highland Claimant Trust and (II) Determine (A) Relative Value of those Assets, and (B) Nature of Plaintiffs' Interests in the Claimant Trust* [Adv. Proc. 23-03038-sgj, Docket No. 13]; (ii) the Court's *Memorandum Opinion and Order Granting Motion to Dismiss Adversary Proceeding in Which Contingent Interest Holders in Chapter 11 Plan Trust Seek a Post-Confirmation Valuation of Trust Assets* [*id.* at Docket No. 27] (the "Dismissal Order"); (iii) HMIT's pending appeal of the Dismissal Order [*id.* at Docket No. 30] (the "Dismissal Appeal"); and (iv) HMIT's pending appeal of the Court's *Memorandum Opinion and Order Pursuant to Plan "Gatekeeper Provision" and Pre-Confirmation "Gatekeeper Orders": Denying Hunter Mountain Investment Trust's Emergency Motion for Leave to File Verified Adversary Proceeding* [Docket No. 3903] (the "Order Denying Leave"), [*see* Case 3:23-cv-02071-E] (the "Appeal of Order Denying Leave," and together with the Dismissal Appeal, the "Appeals"); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this Court having found that venue of this proceeding and the Motion in this District is proper pursuant

to 28 U.S.C. § 1409; and this Court having found that Highland's notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and that no other notice need be provided; and, this Court having determined that the legal and factual bases set forth in the Motion establish good cause for the relief granted herein for the reasons set forth on the record during the Hearing; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Stay is hereby extended until a court of competent jurisdiction enters final, non-appealable orders resolving the Appeals (the "Resolution Orders");
2. HMIT is directed to seek a further status conference in connection with the Motion for Leave within ten (10) days of the entry of the Resolution Orders;
3. The Court shall retain exclusive jurisdiction with respect to all matters arising from or relating to the implementation, interpretation, and enforcement of this Order.

###End of Order###