

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

TEXAS PACIFIC LAND TRUST and, solely in their respective capacities as trustees for Texas Pacific Land Trust, DAVID E. BARRY and JOHN R. NORRIS III,

Plaintiffs,

v.

ERIC L. OLIVER,

Defendant.

and

ERIC L. OLIVER, SOFTVEST, L.P., HORIZON KINETICS LLC, and ART-FGT FAMILY PARTNERS LIMITED,

Counterclaim Plaintiffs,

v.

DAVID E. BARRY and JOHN A. NORRIS III, in their individual capacities and in their capacities as trustees for the Texas Pacific Land Trust,

Counterclaim Defendants.

Case No. 3:19-CV-01224-B

**DEFENDANT ERIC L. OLIVER'S FED. R. CIV. P. 12(C) MOTION FOR JUDGMENT ON THE PLEADINGS DISMISSING PLAINTIFFS' FEDERAL SECURITIES CLAIMS**

Defendant Eric L. Oliver respectfully moves under Fed. R. Civ. P. 12(c) for entry of judgment on the pleadings dismissing Plaintiffs' federal securities claims (Counts I and II of the Amended Complaint). As detailed in the attached memorandum of law, Plaintiffs fail to plead actionable claims under either Section 13(d) or Section 14(a) of the Securities Exchange Act of 1934. Accordingly, Mr. Oliver respectfully requests that the Court grant his motion and enter judgment on the pleadings dismissing Counts I and II of the Amended Complaint.

Dated: June 17, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 17, 2019, a true and correct copy of the foregoing document was served through the Court's CM/ECF System on all counsel of record.

/s/ Robert C. Walters  
Robert C. Walters