

**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

COUNTERCLAIM PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITS FOR THEIR MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION FOR A DECLARATORY JUDGMENT AND PRELIMINARY INJUNCTION

Pursuant to Local Civil Rule 7.2(c), Counterclaim Plaintiffs Eric L. Oliver, SoftVest, L.P., Horizon Kinetics LLC, and ART-FGT Family Partners Limited respectfully move for leave that they be allowed to file a 30-page memorandum of law in support of their Motion for a Declaratory Judgment and Preliminary Injunction (“Motion”) and that Counterclaim Defendants be allowed to file a 30-page response brief to the Motion.

Compelling reasons weigh in favor of granting leave to exceed Local Civil Rule 7.2(c)'s 25-page limit. Counterclaim Plaintiffs seek leave to file a longer brief so that it can present a thorough and helpful discussion of the evidence and legal authority that are relevant to the relief requested in the Motion. The issues the Motion presents are vitally important to the shareholders of the Texas Pacific Land Trust ("TPL"). The motion seeks to confirm Mr. Oliver's election to fill a vacancy on TPL's three-member board of trustees, and it seeks to establish that one of TPL's two incumbent trustees was never properly elected as a trustee. TPL's trustees are charged with managing TPL's business and have authority to make decisions that materially impact the company's shareholders. Counterclaim Plaintiffs seek leave to file a brief that will assist the Court in understanding and resolving the important issues raised by the Motion.

Counterclaim Plaintiffs have conferred with Counterclaim Defendants, who have indicated they do not oppose this motion, provided they are allowed to file a 30-page response to the Motion.

Accordingly, Counterclaim Plaintiffs respectfully request that the Court allow Counterclaim Plaintiffs to file a 30-page memorandum of law in support of the Motion, and allow the Counterclaim Defendants to file a 30-page response brief to the Motion.

Dated: June 25, 2019

Respectfully submitted,

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By: /s/ Robert C. Walters

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CERTIFICATE OF CONFERENCE

On June 25, 2019, a conference was held between Robert Walters (counsel for the Counterclaim Plaintiffs) and Yvette Ostolaza (counsel for the Counterclaim Defendants). Counterclaim Defendants do not oppose the relief sought in this motion.

/s/ Robert C. Walters
Robert C. Walters

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 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

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

**[PROPOSED] ORDER GRANTING UNOPPOSED MOTION
FOR LEAVE TO EXCEED PAGE LIMITS**

Before the Court is Counterclaim Plaintiffs' Unopposed Motion for Leave to Exceed Page Limits for Their Memorandum of Law in Support of Their Motion for a Declaratory Judgment and Preliminary Injunction. Having considered the parties' submissions and the relevant law, the Court hereby **GRANTS** Counterclaim Plaintiffs' request. The Court grants Counterclaim Plaintiffs leave to file a 30-page memorandum of law in support of their motion,

and the Court grants Counterclaim Defendants leave to file a 30-page response brief to the motion.

SO ORDERED

Dated: _____

Hon. Jane J. Boyle
United States District Judge