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13  
14 **UNITED STATES BANKRUPTCY COURT**  
15 **DISTRICT OF NEVADA**

16 In re:  
17 FRONT SIGHT MANAGEMENT, LLC  
18 Debtor.

Case No. BK-S-22-11824-ABL  
Chapter 11  
Adversary Case No. 22-01116-ABL

19  
20 FRONT SIGHT MANAGEMENT, LLC, A  
NEVADA LIMITED LIABILITY  
21 COMPANY

**DECLARATION OF ANDREA M. CHAMPION  
IN SUPPORT OF OPPOSITION TO AMENDED  
MOTION FOR ENTRY OF AN ORDER  
CONFIRMING TERMINATING SANCTIONS  
ORDER IS VOID AS A VIOLATION OF THE  
AUTOMATIC STAY OR, IN THE  
ALTERNATIVE, MOTION FOR RELIEF  
FROM ORDER PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 60(b)**

22 v.  
23 LAS VEGAS DEVELOPMENT FUND LLC,  
24 A NEVADA LIMITED LIABILITY  
25 COMPANY, et al.

26 I, Andrea M. Champion, Esq., hereby declare as follows:

- 27 1. I am over eighteen (18) years of age and a resident of Clark County, Nevada.

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1           2.       I am an attorney duly licensed to practice law in the State of Nevada and am counsel  
2 for Defendants/Counterclaimants Las Vegas Development Fund, LLC (“LVDF”), EB5 Impact  
3 Capital Regional Center, LLC (“EBIC”), EB5 Impact Advisors, LLC (“EB5IA”), Robert W. Dziubla  
4 (“Dziubla”), Jon Fleming (“Fleming), and Linda Stanwood (“Stanwood”) (collectively, the “EB5  
5 Parties”).

6           3.       I have personal knowledge of and am competent to testify to the fact contained in this  
7 Declaration. If called to do so, I would competently and truthfully testify to all matters set forth  
8 herein, except for those matters stated to be based upon information and belief.

9           4.       I make this declaration in support of LVDF’s Opposition to Debtor’s Amended  
10 Motion for Entry of an Order Confirming Terminating Sanctions Order is Void as a Violation of the  
11 Automatic Stay or, in the Alternative, Motion for Relief From Order Pursuant to FRCP 60(b) (the  
12 “Opposition”).

13           5.       At 3:46 p.m. on May 24, 2022, I received, on behalf of my clients, Debtor’s  
14 Suggestion of Bankruptcy. Prior to 3:46 p.m. on May 24, 2022, neither myself nor my clients were  
15 aware that Debtor may file for bankruptcy nor had myself or my clients consulted with bankruptcy  
16 counsel.

17           6.       Within the hour, I emailed John Aldrich, counsel of record for Debtor, Ignatius Piazza,  
18 Jennifer Piazza, the VNV Dynasty Trust I, the VNV Dynasty Trust II, Michael Meacher, and the  
19 Morales Parties, to confirm receipt of the Suggestion of Bankruptcy and to inform him that it was  
20 my understanding that the automatic stay did not apply to Ignatius Piazza, Jennifer Piazza, the VNV  
21 Dynasty Trust I, or the VNV Dynasty Trust II (collectively, the “Piazzas”). Within that email, I  
22 informed Mr. Aldrich that my clients intended to proceed with their motion as it was presented  
23 against just the Piazzas the following day and that my clients also intended to appear in opposition  
24 to Jennifer Piazza’s Motion for Summary Judgment.

25           7.       I received no email from Mr. Aldrich in response.

26           8.       A copy of my May 24, 2022 email correspondence to Mr. Aldrich is attached to the  
27 Opposition as Exhibit 3.

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1           9.       When I appeared at the hearing on May 25, 2022, while waiting for the Court, Mr.  
2 Aldrich informed me that he was prepared to proceed with the hearings on both the Motion for  
3 Sanctions and Jennifer Piazza’s Motion for Summary Judgment.

4           10.      At no time did Mr. Aldrich inform me that it was his position, or his clients’ position,  
5 that proceeding with the hearing may be a violation of the automatic stay or that the motion should  
6 only proceed as to particular counterclaims against the Piazzas.

7           11.      On May 26, 2022, I spoke to Stephen Gubner, Debtor’s bankruptcy counsel for the  
8 first time. At the beginning of our call, Mr. Gubner implied that he was present (either by telephone  
9 or by videoconferencing) at the May 25, 2022 hearing and suggesting that he had listened to the  
10 argument on the Motion for Sanctions because he made specific statements about the argument I,  
11 and Mr. Aldrich, made the day prior.

12          12.      At no point during the May 25, 2022 hearing did Mr. Gubner appear on behalf of the  
13 Debtor or the Piazzas or make a record as to which claims Debtor (and/or the Piazzas) claim are  
14 property of the bankruptcy estate or subject to the automatic stay.

15          13.      Following the May 25, 2022 hearing, I received correspondence from Mr. Gubner  
16 informing my clients that it was Debtor’s position that the fraudulent transfer claims was property of  
17 the bankruptcy estate and thus, subject to the automatic stay.

18          14.      In light of that correspondence, I drafted the proposed order on the Motion for  
19 Sanctions with care and to ensure that the fraudulent transfer claim would not be part of the order  
20 (per Debtor’s request).

21          15.      On June 6, 2022, I provided a copy of the draft proposed counsel to Mr. Aldrich,  
22 whose office is the sole counsel of record in the State Court for the Debtor and the Piazzas. That draft  
23 specifically excluded the fraudulent transfer claim from the Order. In addition, consistent my June  
24 3, 2022 correspondence to Mr. Gubner, I also attached a draft stipulation and order to my email to  
25 Mr. Aldrich that expressly advised that until or unless the automatic stay was terminated, the  
26 fraudulent transfer claim was property of the bankruptcy estate.

27          16.      I received no response from Mr. Aldrich to my June 6, 2022 email.

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1           17.     The following day, on June 7, 2022, I spoke to Mr. Aldrich by telephone. While Mr.  
2 Aldrich and I discussed a separate issue during that call, I did inform him that I had sent him the draft  
3 proposed order and stipulation the day prior and Mr. Aldrich told me that he intended to look at both  
4 and provide comments or proposed changes in short order.

5           18.     On June 10, 2022, I spoke to Mr. Aldrich again. During that call, I reminded Mr.  
6 Aldrich that I was awaiting his comments and proposed revisions on the draft proposed order. Mr.  
7 Aldrich told me that he would provide proposed comments and revisions.

8           19.     I never received any proposed comments or revisions to the draft order from Mr.  
9 Aldrich.

10          20.     Accordingly, on June 16, 2022, I followed up one last time with Mr. Aldrich by email.  
11 In my email, I informed Mr. Aldrich that because 10 days had passed since my office provided the  
12 proposed order for review, consistent with the Department’s guidelines, we intended to submit the  
13 proposed order to the State Court at the end of the day. However, I asked him, for a final time, to  
14 provide any proposed revisions he may have before the proposed order was submitted.

15          21.     Mr. Aldrich did not respond to that email either.

16          22.     A copy of my June 6-16, 2022 email correspondence with Mr. Aldrich is attached to  
17 the Opposition as Exhibit 6.

18          23.     At the close of business on June 16, 2022, my office submitted the proposed order to  
19 the Department. Mr. Aldrich was included on that email.

20          24.     A copy of that email is attached to the Opposition as Exhibit 7.

21           I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct.

23           Dated August 18, 2022.

24

25

/s/ Andrea M. Champion  
ANDREA M. CHAMPION, ESQ.

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