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Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
September 15, 2022

STEVEN T. GUBNER – NV Bar No. 4624
SUSAN K. SEFLIN – CA Bar No. 213865 – *Pro Hac Vice* Granted
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Attorneys for Chapter 11 Debtor and Plaintiff

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re

Front Sight Management LLC,
Debtor.

Case No. 22-11824-abl

Chapter 11

Adv. No. 22-01116-abl

Front Sight Management LLC, a Nevada Limited
Liability Company,

Plaintiff,

v.

Las Vegas Development Fund LLC, a Nevada
limited liability company, et al.,
Defendants.

Hearing Date: September 15, 2022

Hearing Time: 1:30 p.m.

And all related counterclaims.

ORDER APPROVING STIPULATION RESOLVING DEBTOR’S 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)

1 The Court, having reviewed the *Stipulation Resolving Debtor’s Motion for Entry of an Order*
2 *Confirming Terminating Sanctions Order is Void as a Violation of the Automatic Stay, or, in the*
3 *Alternative, Motion for Relief from Order Pursuant to Federal Rule of Civil Procedure 60(b)* (the
4 “Stipulation”)¹ entered into between and among Front Sight Management LLC, the chapter 11
5 debtor in possession and plaintiff herein (the “Debtor”), on the one hand, and Las Vegas
6 Development Fund, LLC (“LVDF”) and its related defendants and counterclaimants in the above-
7 captioned adversary proceeding (collectively, the “LVDF Parties”), on the other hand, and good
8 cause appearing therefor,

9 **IT IS HEREBY ORDERED:**

- 10 1. The Stipulation is approved in its entirety.
- 11 2. The LVDF counterclaims are property of the bankruptcy estate.
- 12 3. The Debtor’s *Motion for Entry of an Order Confirming Terminating Sanctions Order is*
13 *Void as a Violation of the Automatic Stay or, in the Alternative, Motion for Relief from Order*
14 *Pursuant to Federal Rule of Civil Procedure 60(b)* [Adv. ECF No. 51] (the “Void Motion”) is
15 resolved as set forth in the Stipulation and this Order.
- 16 4. The *Order Granting in Part Defendants and Counterclaims Motion for Case*
17 *Dispositive Sanctions* (the “Terminating Sanctions Order”) entered by the District Court for Clark
18 County, Nevada (the “State Court”) on June 22, 2022 in Case No. A-18-781084-B (subsequently
19 removed to this Court and now pending as the above-captioned adversary proceeding) is void ab
20 initio, as are any rulings made by the State Court at the May 25, 2022 hearing on the Terminating
21 Sanctions Motion, as a violation of the automatic stay.
- 22 5. The Debtor agrees not to seek monetary sanctions against the LVDF Parties or their
23 professionals with respect to the Void Motion but reserves its rights (i) to object to any attorneys’
24 fees or costs asserted by LVDF in its claim(s) against the Debtor (or by any of the other LVDF
25 Parties to the extent they seek a claim against the Debtor or its estate), and (ii) to assert the Debtor is
26 entitled to offset its fees and costs relating to the Void Motion from any allowed claim(s) of the

27 _____
28 ¹ Any capitalized term not defined in this Stipulation has the same meaning ascribed to it in the Stipulation.

1 LVDF Parties.

2 6. LVDF agrees not to seek sanctions or other relief relating to the Debtor's or the Piazza
3 Parties' failure to appear for depositions pre-petition. This clause does not affect (i) LVDF's ability
4 to assert it is owed attorneys' fees and costs related to the pre-petition failure to appear under the
5 applicable loan and loan related documents, or (ii) its ability to seek to depose the Debtor or the
6 Piazza Parties in connection with this adversary proceeding.

7 7. The *Motion for Bankruptcy 9011 Sanctions* served by the Law Office of Brian D.
8 Shapiro, LLC on counsel for the Debtor with respect to the Void Motion is withdrawn with
9 prejudice.

10 8. Upon entry of this Order, the Piazza Parties shall withdraw their Reconsideration
11 Motion as moot.

12 9. Upon entry of this Order, the oral rulings scheduled for September 15, 2022 at 1:30
13 p.m. shall be vacated.

14 **IT IS SO ORDERED.**

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1 Submitted by:

2 BG Law LLP

3
4 By: /s/ Susan K. Seflin

5 Steven T. Gubner

Susan K. Seflin

6 Attorneys for Chapter 11 Debtor and Plaintiff

7 **Approved:**

8 Law Office of Brian D. Shapiro

9
10 By: /s/ Brian D. Shapiro

11 Brian D. Shapiro

12 Attorneys for the LVDF Parties

13 **Approved:**

14 Law Office of Brian D. Shapiro

15
16 By: /s/ Brian D. Shapiro

17 Brian D. Shapiro

18 Attorneys for Law Office of Brian D. Shapiro

19 **Approved:**

20 Garman Turner Gordon LLP

21
22
23 By: /s/ Gregory E. Garman

24 Gregory E. Garman

25 Attorneys for the Piazza Parties