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11 6600 Amelia Earhart Court, Suite C  
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13 *Attorneys for Las Vegas Development Fund*

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

17 In re:

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

18  
19 FRONT SIGHT MANAGEMENT, LLC  
20 Debtor.

**OBJECTION TO STIPULATION  
REGARDING DEPOSITION OF IGNATIUS  
A. PIAZZA IN CONNECTION WITH THE  
COMMITTEE’S OBJECTION TO PLAN  
CONFIRMATION**

21  
22  
23 Las Vegas Development Fund (“LVDF”), by and through its counsel, the Law Office of  
24 Brian D. Shapiro, LLC and Jones Lovelock, respectfully submits its objection to STIPULATION  
25 REGARDING DEPOSITION OF IGNATIUS A. PIAZZA IN CONNECTION WITH THE  
26 COMMITTEE’S OBJECTION TO PLAN CONFIRMATION (“Stipulation”).  
27  
28

1 On November 2, 2022, the Committee filed an amended notice of deposition of Ignatius  
2 Piazza. See, ECF No. 473. Such notice stated that “All Parties may attend and cross-examine”.  
3 Id. p. 2, l. 8-9 (emphasis added).  
4

5 On November 3, 2022, at LVDF’s request, Dawn Cica, counsel for the Committee, advised  
6 that the deposition of Ignatius Piazza would be moved to November 14, 2022 and that a link to  
7 attend the deposition would be provided to LVDF and its counsel from the Court Reporter. A  
8 copy of the email correspondence is attached hereto as **Exhibit 1**.

9 Also, Lauren Schlüssel of Kelly Drye & Warren LLP responded that same day that the  
10 court reporter will include LVDF’s counsel when the link for the deposition was sent. A copy of  
11 that email correspondence is attached hereto as **Exhibit 2**.

12 On November 6, 2022, a link was provided by the court reporter to LVDF’s counsel for  
13 the remote depo for the deposition of Mr. Piazza. A copy of that email is attached hereto as **Exhibit**  
14 **3**.

15 On November 9, 2022, without advising LVDF in advance, the Committee and the Debtor  
16 filed a Stipulation that attempts to restrict other parties from attending the deposition of Ignatius  
17 A. Piazza and to make such the deposition transcript confidential (so that it may also not be  
18 provided to other parties). See, ECF No. 504.

19 After reviewing the stipulation, LVDF sent an email to counsel of the Debtor and the  
20 Committee to inquire if there was an objection to LVDF attending in light of LVDF previously  
21 being invited to attend and provided with a link to attend the deposition. A copy of that email and  
22 the Debtor’s response is attached hereto as **Exhibit 4**.

23 The undersigned subsequently spoke with Dawn Cica who advised that the Committee had  
24 no objection to LVDF’s attendance at Mr. Piazza’s deposition but advised that the Committee  
25 could not speak for the Debtor. Ms. Cica further advised that the order approving the Stipulation  
26 had been submitted to the Court—all of this was done without notice to LVDF. The Debtor  
27 subsequently responded to advise that Debtor would not consent to LVDF’s attendance at Mr.  
28 Piazza’s deposition. Although Debtor claimed that it was “not advised that LVDF was previously

1 invited” to attend the deposition, Debtor provided no explanation, whatsoever, for its objection to  
2 LVDF’s attendance. See, Exhibit 4.

3  
4 LVDF is the main creditor of this bankruptcy proceeding and in accordance with the  
5 Notice of Deposition submitted under Fed. R. Civ P. 30 and Fed. R. Bank P. 7030 and 9014 was  
6 invited to attend the deposition of Mr. Piazza. Debtor and the Unsecured Creditor’s Committee,  
7 without notice to LVDF, subsequently stipulated to prevent LVDF from attending the deposition.  
8 But no reason for their stipulation was provided—either to LVDF or to the Court in the Stipulation.  
9 As the Court is aware, Mr. Piazza has actively and consistently prevented LVDF from taking his  
10 deposition. Now, Mr. Piazza has finally agreed to appear at a deposition—albeit for the Unsecured  
11 Creditor’s Committee—but now is refusing to allow LVDF to simply attend. As the deposition is  
12 being taken as part of a contested proceeding in which LVDF is a party, LVDF should be entitled  
13 to attend such deposition. There is no justification, whatsoever, provided by Debtor or Mr. Piazza  
14 for their refusal to allow LVDF (or any other party) from attending a duly noticed deposition to  
15 which they were previously invited to attend. Instead, Debtor’s objection should be viewed as  
16 nothing more than another attempt by Mr. Piazza to prevent LVDF from obtaining his testimony.<sup>1</sup>  
17 Accordingly, LVDF requests this Court to deny the Stipulation and/or alternatively permit LVDF  
18 and its counsel to attend the deposition.<sup>2</sup>

19  
20 DATED 11-9-2022

/s/ Brian D. Shapiro, Esq.  
Brian D. Shapiro, Esq.  
Nevada State Bar No. 5772  
LAW OFFICE OF BRIAN D. SHAPIRO,  
510 S. 8th Street  
Las Vegas, Nevada 89101  
Tel: (702) 386-8600  
brian@brianshapirolaw.com

21  
22  
23  
24  
25  
26 <sup>1</sup> The attempt, by ex parte request, to avoid other parties from appearing at a duly noticed deposition in a contested  
27 proceeding affects the integrity and transparency of bankruptcy court proceedings.

28 <sup>2</sup> LVDF reserves all rights to depose Mr. Piazza at a future date should the parties’ mediation efforts prove  
successful. LVDF also reserves the right to move to de-designate any and all documents and testimony provided by  
Mr. Piazza to the Unsecured Creditor’s Committee that, thus far, Debtor and Mr. Piazza have refused to provide to  
LVDF.

# EXHIBIT 1

## Brian Shapiro

---

**From:** Dawn Cica <Dcica@carlyoncica.com>  
**Sent:** Thursday, November 3, 2022 7:07 PM  
**To:** Brian Shapiro; Ischlusel@kelleydrye.com  
**Cc:** Andrea Champion  
**Subject:** RE: Piazza Deposition Front Sight

Hi Brian,  
It looks like it will be moving forward at 9a on the 14<sup>th</sup>. I am copying KDW as the link will come from their court reporter.  
Best, Dawn

Dawn M. Cica, J.D., M.B.A  
**CARLYON CICA CHTD.**  
265 E. Warm Springs Rd. Ste. 107  
Las Vegas, Nevada 89119  
D 702.491.4377 | C 702.858.5886  
[DCica@CarlyonCica.com](mailto:DCica@CarlyonCica.com) | [www.ccclaw.vegas](http://www.ccclaw.vegas)  
*Licensed in California, New York and Nevada*



Director, Board of Directors  
Regent/Board of Regents and Fellow, American College of Commercial Finance Lawyers

---

**From:** Brian Shapiro <brian@brianshapirolaw.com>  
**Sent:** Thursday, November 3, 2022 12:57 PM  
**To:** Dawn Cica <Dcica@carlyoncica.com>  
**Cc:** Andrea Champion <achampion@joneslovelock.com>  
**Subject:** Piazza Deposition Front Sight

Dear Dawn:

Can you let us know if you believe the deposition of Piazza will move forward. If so, please provide Andi and I with a link to the zoom meeting as well. Thank you and we await your response.

~ B

Brian D. Shapiro, Esq.  
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[www.myvegasbankruptcyattorney.com](http://www.myvegasbankruptcyattorney.com)

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# EXHIBIT 2

**Brian Shapiro**

---

**From:** Schlusssel, Lauren <LSchlusssel@KelleyDrye.com>  
**Sent:** Thursday, November 3, 2022 7:31 PM  
**To:** Dawn Cica; Brian Shapiro  
**Cc:** Andrea Champion  
**Subject:** RE: Piazza Deposition Front Sight

We will have the court reporter include you and Andi when we the links are sent.

**LAUREN SCHLUSSEL**

**Kelley Drye & Warren LLP**  
Tel: (212) 808-5160  
Cell: (516) 236-7159

---

**From:** Dawn Cica <Dcica@carlyoncica.com>  
**Sent:** Thursday, November 3, 2022 10:07 PM  
**To:** Brian Shapiro <brian@brianshapiro.com>; Schlusssel, Lauren <LSchlusssel@KelleyDrye.com>  
**Cc:** Andrea Champion <achampion@joneslovelock.com>  
**Subject:** RE: Piazza Deposition Front Sight

**CAUTION: This message originated outside of Kelley Drye and was sent by: [dcica@carlyoncica.com](mailto:dcica@carlyoncica.com)**

---

Hi Brian,  
It looks like it will be moving forward at 9a on the 14<sup>th</sup>. I am copying KDW as the link will come from their court reporter.  
Best, Dawn

Dawn M. Cica, J.D., M.B.A  
**CARLYON CICA CHTD.**  
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Las Vegas, Nevada 89119  
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 Director, Board of Directors  
Regent/Board of Regents and Fellow, American College of Commercial Finance Lawyers



**From:** Brian Shapiro <[brian@brianshapirolaw.com](mailto:brian@brianshapirolaw.com)>  
**Sent:** Thursday, November 3, 2022 12:57 PM  
**To:** Dawn Cica <[Dcica@carlyoncica.com](mailto:Dcica@carlyoncica.com)>  
**Cc:** Andrea Champion <[achampion@joneslovelock.com](mailto:achampion@joneslovelock.com)>  
**Subject:** Piazza Deposition Front Sight

Dear Dawn:

Can you let us know if you believe the deposition of Piazza will move forward. If so, please provide Andi and I with a link to the zoom meeting as well. Thank you and we await your response.

~ B

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[www.myvegasbankruptcyattorney.com](http://www.myvegasbankruptcyattorney.com)

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# EXHIBIT 3

## Brian Shapiro

---

**From:** Remote Depo Link <remotedepolink@uslegalsupport.com>  
**Sent:** Sunday, November 6, 2022 5:32 AM  
**To:** Brian Shapiro; achampion@joneslovelock.com; Ischlussel@kelleydry.com; rlehane@kelleydrye.com; jadams@kelleydrye.com; wgyves@kelleydrye.com; Dcica@carlyoncica.com; sseflin@bg.law; sgubner@bg.law; jkomorsky@bg.law; jwarner@bg.law; Ggarman@Gtg.legal; tpilatowicz@Gtg.legal  
**Cc:** Scott Grossman  
**Subject:** DO NOT REPLY - Invitation: In Re: Front Sight Management LLC @ Mon Nov 14, 2022 9:00am PST  
**Attachments:** meeting.ics  
**Categories:** Filed to Clio

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Thank you for scheduling your RemoteDepo™ event with U.S. Legal Support. The details, along with a link for your event, are outlined below. We recommend testing your connection in advance and logging in at least 15 minutes prior to the deposition to ensure timely connection and commencement of proceedings. In order to preserve privacy, contact information for the witness, if provided, has been included via bcc to this email.

Notice to Witnesses: Please refer to the Notice of Deposition, served upon you by counsel, as to the requirements for your appearance at this proceeding.

Please be advised, this Remote Link communication does not guarantee coverage for your proceeding. A formal confirmation of coverage will be sent once the appropriate resource has been confirmed.

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- Select "**Join as Participant**" on the far left of the web browser window.

### Proceeding Details:

- **Case Name:** In Re: Front Sight Management LLC
- **Witness Name:** 9am- Ignatius Piazza

- **Job Number:** 6261987
- **Date:** November 14, 2022
- **Start Time:** 09:00 am PST
- **Meeting ID:** 987-413-83680
- **Password:** 860226
- **Cameo Room:** Room1236

If you are also joining the proceeding by phone:

- Dial-in: [646-568-7788](tel:646-568-7788)
- Meeting ID: 987-413-83680

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Connect via video conference system: 162.255.36.11##98741383680#860226

Connect via SIP: 98741383680@162.255.36.11

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# EXHIBIT 4

## Brian Shapiro

---

**From:** Susan K. Seflin <sseflin@bg.law>  
**Sent:** Wednesday, November 9, 2022 11:45 AM  
**To:** Brian Shapiro; Dawn Cica  
**Cc:** Andrea Champion; Steven T. Gubner  
**Subject:** RE: 22-11824-abl Stipulation

Hi Brian –

The debtor does not consent to LVDF's attendance at the deposition. The debtor was not advised that LVDF was previously invited so I apologize for any confusion. Best regards, Susie



21650 Oxnard St., Suite 500  
Woodland Hills, CA 91367

[www.bg.law](http://www.bg.law)

**Susan K. Seflin**  
Partner

(818) 827-9000 Main  
(818) 827-9210 Direct / Text / Fax

[sseflin@bg.law](mailto:sseflin@bg.law)



Susan K. Seflin

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**From:** Brian Shapiro <brian@brianshapirolaw.com>  
**Sent:** Wednesday, November 9, 2022 10:03 AM  
**To:** Dawn Cica <Dcica@carlyoncica.com>; Susan K. Seflin <sseflin@bg.law>  
**Cc:** Andrea Champion <achampion@joneslovelock.com>; Brian Shapiro <brian@brianshapirolaw.com>  
**Subject:** RE: 22-11824-abl Stipulation

CAUTION: This email originated from an external source.

Dear Dawn and Susie:

As we were previously invited to attend, please clarify if you are permitting our attendance at the deposition?

~ B

Brian D. Shapiro, Esq.  
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[www.myvegasbankruptcyattorney.com](http://www.myvegasbankruptcyattorney.com)

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**From:** [USBC\\_NEVADA@nvb.uscourts.gov](mailto:USBC_NEVADA@nvb.uscourts.gov) <[USBC\\_NEVADA@nvb.uscourts.gov](mailto:USBC_NEVADA@nvb.uscourts.gov)>

**Sent:** Wednesday, November 9, 2022 9:58 AM

**To:** [Courtmail@nvb.uscourts.gov](mailto:Courtmail@nvb.uscourts.gov)

**Subject:** 22-11824-abl Stipulation

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**U.S. Bankruptcy Court**

**District of Nevada**

Notice of Electronic Filing

The following transaction was received from DAWN M. CICA entered on 11/9/2022 at 9:57 AM PST and filed on 11/9/2022

**Case Name:** FRONT SIGHT MANAGEMENT LLC

**Case Number:** [22-11824-abl](#)

**Document Number:** [504](#)

**Docket Text:**

Stipulation By Official Committee of Unsecured Creditors and Between Front Sight Management LLC *Regarding Deposition of Ignatius A. Piazza in Connection with the Committee's Objection to Plan Confirmation* Filed by DAWN M. CICA on behalf of Official Committee of Unsecured Creditors (Related document(s)[473] Notice filed by Cred. Comm. Chair Official Committee of Unsecured Creditors) (CICA, DAWN)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**Stipulation re FRCP 29 110922\_FINAL.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=989277954 [Date=11/9/2022] [FileNumber=34739004-0 ] [905c9195be243d2a6c21ed5e59266f897889f8e6028a730b103c888865abcc5daaf 86c604de816c8ba6d4eb1ed0ecd2c397afd9fdc41be0bc23dabf0e8db94ab]]

**22-11824-abl Notice will be electronically mailed to:**

JASON BLUMBERG on behalf of U.S. Trustee U.S. TRUSTEE - LV - 11  
[Jason.blumberg@usdoj.gov](mailto:Jason.blumberg@usdoj.gov)

CANDACE C CARLYON on behalf of Cred. Comm. Chair Official Committee of Unsecured Creditors  
[ccarlyon@carlyoncica.com](mailto:ccarlyon@carlyoncica.com),  
[CRobertson@carlyoncica.com](mailto:CRobertson@carlyoncica.com); [nrodriguez@carlyoncica.com](mailto:nrodriguez@carlyoncica.com); [9232006420@filings.docketbird.com](mailto:9232006420@filings.docketbird.com); [Dcica@carlyoncica.com](mailto:Dcica@carlyoncica.com)

CHAPTER 11 - LV  
[USTPRegion17.lv.ecf@usdoj.gov](mailto:USTPRegion17.lv.ecf@usdoj.gov)

DAWN M. CICA on behalf of Cred. Comm. Chair Official Committee of Unsecured Creditors  
[dcica@carlyoncica.com](mailto:dcica@carlyoncica.com),  
[nrodriguez@carlyoncica.com](mailto:nrodriguez@carlyoncica.com); [croberson@carlyoncica.com](mailto:croberson@carlyoncica.com); [dmcica@gmail.com](mailto:dmcica@gmail.com); [dcica@carlyoncica.com](mailto:dcica@carlyoncica.com); [tosteen@carlyoncica.com](mailto:tosteen@carlyoncica.com); [3342887420@filings.docketbird.com](mailto:3342887420@filings.docketbird.com)

WILLIAM C DEVINE, II on behalf of Creditor KEITH WADE GORMAN  
[william@devine.legal](mailto:william@devine.legal), [courtney@devine.legal](mailto:courtney@devine.legal); [devinewr72773@notify.bestcase.com](mailto:devinewr72773@notify.bestcase.com)

THOMAS H. FELL on behalf of Creditor MICHAEL MEACHER, dba BANKGROUP FINANCIAL SERVICES  
[tfell@fennemorelaw.com](mailto:tfell@fennemorelaw.com), [clandis@fennemorelaw.com](mailto:clandis@fennemorelaw.com); [CourtFilings@fennemorelaw.com](mailto:CourtFilings@fennemorelaw.com)

PHILIP S. GERSON on behalf of Creditor M2 EPC dba M2 ENGINEERING PROCUREMENT AND CONSTRUCTION  
[Philip@gersonnvlaw.com](mailto:Philip@gersonnvlaw.com)

STEVEN T GUBNER on behalf of Debtor FRONT SIGHT MANAGEMENT LLC  
[sgubner@bg.law](mailto:sgubner@bg.law), [ecf@bg.law](mailto:ecf@bg.law)

STEVEN T GUBNER on behalf of Plaintiff FRONT SIGHT MANAGEMENT LLC, A NEVADA LIMITED LIABILITY COMPANY  
[sgubner@bg.law](mailto:sgubner@bg.law), [ecf@bg.law](mailto:ecf@bg.law)

RAMIR M. HERNANDEZ on behalf of Creditor ANDREA N SHUBIN  
[rhernandez@wrightlegal.net](mailto:rhernandez@wrightlegal.net), [jcraig@wrightlegal.net](mailto:jcraig@wrightlegal.net); [nvbkfiling@wrightlegal.net](mailto:nvbkfiling@wrightlegal.net)

MICHAEL R. HOGUE on behalf of Special Counsel GREENBERG TRAUIG, LLP  
[hoguem@gtlaw.com](mailto:hoguem@gtlaw.com), [LVLitDock@GTLAW.com](mailto:LVLitDock@GTLAW.com); [flintza@gtlaw.com](mailto:flintza@gtlaw.com); [navarrom@gtlaw.com](mailto:navarrom@gtlaw.com)

JASON B KOMORSKY on behalf of Debtor FRONT SIGHT MANAGEMENT LLC  
[jkomorsky@bg.law](mailto:jkomorsky@bg.law)

BART K. LARSEN on behalf of Creditor ARMSCOR PRECISION INTERNATIONAL  
[BLARSEN@SHEA.LAW](mailto:BLARSEN@SHEA.LAW), [3542839420@filings.docketbird.com](mailto:3542839420@filings.docketbird.com)

NICOLE E. LOVELOCK on behalf of Creditor EB5 Impact Advisors, LLC  
[nlovelock@joneslovelock.com](mailto:nlovelock@joneslovelock.com), [ljanuskevicius@joneslovelock.com](mailto:ljanuskevicius@joneslovelock.com)

NICOLE E. LOVELOCK on behalf of Creditor EB5 Impact Capital Regional Center, LLC  
[nlovelock@joneslovelock.com](mailto:nlovelock@joneslovelock.com), [ljanuskevicius@joneslovelock.com](mailto:ljanuskevicius@joneslovelock.com)



NICOLE E. LOVELOCK on behalf of Creditor LAS VEGAS DEVELOPMENT FUND, LLC  
[nlovelock@joneslovelock.com](mailto:nlovelock@joneslovelock.com), [ljanuskevicius@joneslovelock.com](mailto:ljanuskevicius@joneslovelock.com)

NICOLE E. LOVELOCK on behalf of Creditor Jon Fleming  
[nlovelock@joneslovelock.com](mailto:nlovelock@joneslovelock.com), [ljanuskevicius@joneslovelock.com](mailto:ljanuskevicius@joneslovelock.com)

NICOLE E. LOVELOCK on behalf of Creditor Linda Stanwood  
[nlovelock@joneslovelock.com](mailto:nlovelock@joneslovelock.com), [ljanuskevicius@joneslovelock.com](mailto:ljanuskevicius@joneslovelock.com)

NICOLE E. LOVELOCK on behalf of Creditor Robert W Dziubla  
[nlovelock@joneslovelock.com](mailto:nlovelock@joneslovelock.com), [ljanuskevicius@joneslovelock.com](mailto:ljanuskevicius@joneslovelock.com)

NICOLE E. LOVELOCK on behalf of Defendant EB5 Impact Advisors, LLC  
[nlovelock@joneslovelock.com](mailto:nlovelock@joneslovelock.com), [ljanuskevicius@joneslovelock.com](mailto:ljanuskevicius@joneslovelock.com)

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