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

12 In re:  13 FRONT SIGHT MANAGEMENT LLC,  14 Debtor.	Case No.: 22-11824-ABL  Chapter 11
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15 **NOTICE OF INTENT TO ISSUE SUBPOENA IN A CASE UNDER THE BANKRUPTCY**  
 16 **CODE TO SIMONE WILLIAMS, ESQ.**

17 Reorganized Debtor Front Sight Management LLC, by and through its counsel, the law  
 18 firm of Garman Turner Gordon LLP, and pursuant to Rules 7030, 7034, 9014, and 9016, Federal  
 19 Rules of Bankruptcy Procedure, hereby provides notice of the issuance of a *Subpoena in a Case*  
 20 *Under the Bankruptcy Code* to Simone Williams, Esq. A copy of the subpoena is attached hereto  
 21 as **Exhibit 1**.

22 DATED this 3rd day of March, 2023.

23 GARMAN TURNER GORDON LLP

24 By: /s/ Teresa M. Pilatowicz  
 25 GREGORY E. GARMAN, ESQ.  
 TALITHA GRAY KOZLOWSKI, ESQ.  
 TERESA M. PILATOWICZ, ESQ.  
 26 7251 Amigo Street, Suite 210  
 Las Vegas, Nevada 89119  
 27 *Attorneys for Attorneys for Reorganized Debtor  
 Front Sight Management LLC*

# **EXHIBIT 1**

# **EXHIBIT 1**

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

FRONT SIGHT MANAGEMENT LLC,

Debtor.

Case No.: 22-11824-ABL

Chapter 11

**SUBPOENA IN A CASE UNDER THE  
BANKRUPTCY CODE FOR  
DEPOSITION AND PRODUCTION OF  
DOCUMENTS**

**TO: SIMONE WILLIAMS, ESQ.**  
WILLIAMS GLOBAL LAW, PLLC  
c/o Incorp Services, Inc.  
1100 H Street, N.W.  
Washington, DC 20005

- YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in this involuntary bankruptcy case. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

<p><b>PLACE<sup>1</sup></b></p> <p>Esquire Deposition Solutions 1717 K Street, NW, Suite 900 Washington, DC 20006</p>	<p><b>DATE AND TIME:</b></p> <p>March 27, 2023 9:30 a.m.</p>
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- YOU ARE COMMANDED to produce and permit inspection and copying of the documents and communications requested on **Exhibit B** hereto, subject to the Definitions and Instructions, on **Exhibit A** hereto.

<p><b>PLACE</b></p> <p>Esquire Deposition Solutions 1717 K Street, NW, Suite 900 Washington, DC 20006</p>	<p><b>DATE AND TIME</b></p> <p>March 23, 2023 9:30 a.m.</p>
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Any subpoenaed organization not a party to this proceeding case shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify, Fed. R. Civ. P. 30(b)(6) made applicable to this proceeding by Rule 7030, Fed. R. Bankr. P.

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 901, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d),

<sup>1</sup> The examination will be recorded *via* stenographic means and/or videotaped.

relating to your protection as a person subject of a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

<b>ISSUING OFFICER SIGNATURE AND TITLE</b> <i>/s/ Teresa Pilatowicz</i>	<b>DATE</b> March 3, 2023
<b>ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER</b>  Gregory E. Garman, Esq. Talitha Gray Kozlowski, Esq. Teresa M. Pilatowicz, Esq. Garman Turner Gordon LLP 7251 Amigo Street, Suite 210 Las Vegas, NV 89119 (725) 777-3000	

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

**PROOF OF SERVICE**

**(This section should not be filed with the court unless required by Fed. R. Civ. P. 45)**

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the subpoena executed because: \_\_\_\_\_  
\_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$\_\_\_\_\_.

My fees are \$\_\_\_\_\_ for travel and \$\_\_\_\_\_ for services, for a total of \$\_\_\_\_\_.

I declare under penalty of perjury that this information is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information concerning attempted service, etc.:

**Federal Rules of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)**  
**(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)**

**(c) Place of compliance.**

*(1) For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

*(2) For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

*(1) Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

*(2) Command to Produce Materials or Permit Inspection.*

*(A) Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

*(B) Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

*(3) Quashing or Modifying a Subpoena.*

*(A) When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

*(B) When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

*(C) Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or

modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

*(1) Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

*(A) Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

*(B) Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

*(C) Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

*(D) Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

*(2) Claiming Privilege or Protection.*

*(A) Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

*(B) Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

**(g) Contempt.** The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013)

**EXHIBIT A**

**INSTRUCTIONS FOR THE SUBPOENA TO PRODUCE DOCUMENTS,  
INFORMATION, OR OBJECTS**

1. “Communication(s)” shall mean, without limitation, any transmittal, conveyance or exchange of a word, statement, fact, thing, idea, document, instruction, information, demand, question or other information by any medium, whether by written, oral or other means, including but not limited to personal conversations, written correspondence, memoranda, letters, reports, publications, electronic communications, text messaging, instant messaging, messages via social media and electronic mail.

2. “CLA” means the Construction Loan Agreement dated October 6, 2016, between Front Sight and LVDF, and amendments thereto.

3. “Date” means the exact day, month, and year, if known, or if not known, Your best Sapproximation thereof. Exact dates shall be given in all answers except where it is explicitly indicated than an approximate

4. “Documents” is intended to be as broad as it is used in Federal Rules of Civil Procedure (“FRCP”) 26 and 34, and includes, without limitation:

- a. the original (or an identical duplicate if the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description that are fixed in any kind of physical media;<sup>2</sup>
- b. any printed, typewritten, handwritten, electronic, or otherwise recorded matter of whatever character of communications, letters, correspondence, electronic mail, text messages, memoranda, notes, Post-Its, media releases or articles, photographs, tape or sound recordings, contracts, agreements, telephone records, diaries, desk calendars, appointment calendar, group scheduler calendars, statements, reports, journal, minutes, working paper, financial report, accounting report, work papers, facsimile, facsimile transmission, drafts, logs, chart, graph, index, directory, scheduling data, databases, spreadsheets, presentations, word processed documents, bulletins, design schedules, supplemental instructions, time cards, drawings, shop drawings, progress payments, progress schedules, estimates, equipment time cards, design calculations, design meeting

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<sup>2</sup> Physical media includes, but is not limited to, paper media, photographic media (including pictures, films, slides and microfilm), phonographic media, magnetic media (including, but not limited to hard drives, floppy disks, compact disks, and magnetic tapes of any kind), computer memory, optical media, magneto-optical media, and other physical media on which notations or marking of any kind can be affixed.

minutes, coordination meeting minutes, and material similar to any of the foregoing, however denominated and to whomever addressed, computer directory, computer disk, computer tape, or any written, printed, typed, punched, taped, filmed, or graphic matter however produced or reproduced. Documents also include the file, folder tabs, and labels appended to or containing any documents.

- c. For the avoidance of doubt, electronically-stored information with all metadata intact shall be produced whenever available in the format described below.

5. “Dziubla” means Robert Dziubla.
6. “EB-5 Immigrant Investor.” refers to all Class B members of LVDF.
7. “EB5IA” means EB5 Impact Advisors, LLC.
8. “EB5IC” means EB5 Impact Capital Regional Center, LLC.
9. “Entity” includes, without limiting the generality of its meaning, every corporation, partnership, association, limited liability company, joint venture and professional business entity or any iteration, subsidiary, or affiliate thereof.
10. “Fleming” means Jon Fleming,
11. “Front Sight” means Front Sight Management, LLC.
12. “LVDF” means Las Vegas Development Fund, LLC
13. “Person” shall mean any natural person, trust, Entity, association of Entities and/or natural persons, and/or governmental body.
14. “Project” means the construction of the Front Sight Resort & Vacation Club and an expansion of the facilities and infrastructure of the Front Sight Firearms Training Institute located in a 550-acre site in Pahrump, Nevada, and as more specifically defined in the CLA.
15. “Promissory Notes” means the Promissory Note executed in connection with the CLA and any amendments thereto.
16. “Relate” or “relating to” means constituting, comprising, containing, setting forth, showing, disclosing, describing, explaining, summarizing, concerning, or referring to directly or indirectly.
17. “Relevant to” has the same meaning that it has in Fed. R. Civ. P. 26(b)(1) incorporated by Fed. R. Bank. P. 7026.
18. “USCIS” means U.S. Citizenship and Immigration Services.



19. “You” and “Your” shall mean Simone Williams, and Your agents, servants, employees, attorneys, representatives, predecessors, or any other person over which You have control or have a superior right to compel to do an act or produce an item or information and specifically including, but not limited to: (i) any Entity of which You are an officer, director, manager, member, shareholder or in which You have or had any ownership or equity interest (contingent or otherwise); and (ii) any trust or similar device in which You are a settlor, trustee, co-trustee, trust protector, or beneficiary or in which You have any interest (contingent or otherwise).

**EXHIBIT B**

1. Please provide any and all communications between you and Robert Dziubla related to the Front Sight Project.
2. Please provide any and all communications between you and Jon Fleming related to the Front Sight Project.
3. Please provide any and all communications between you and Linda Stanwood related to the Front Sight Project.
4. Please provide any and all communications between you and USCIS related to the front Sight Project.
5. Please provide any and all communications between you and any EB5 Immigrant Investor related to the front Sight Project.
6. Please provide any and all communications between you and EB5IA related to the Front Sight Project.
7. Please provide any and all communications between you and EB5IC related to the Front Sight Project.
8. Please provide any and all communications between you and LVDF related to the Front Sight Project.
9. Please provide any and all documents in your possession and/or control related to the Front Sight Project.
10. Please provide any and all documents related to your attempts to source EB-5 immigrant investors for the Front Sight Project.
11. Please provide any and all communications related to your attempts to source EB-5 immigrant investors for the Front Sight Project.
12. Please provide any and all documents related to the Williams Global Law PLLC Pre-Marketing Agreement with EB5IC.
13. Please provide any communications between you and Kyle Scott pertaining to the Front Sight Project.
14. Please provide any communications between you and Sudhir Shah pertaining to the Front Sight Project.

15. Please provide any communications between you and LuRaphael Li pertaining the Front Sight Project.