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16 **UNITED STATES BANKRUPTCY COURT**
17 **DISTRICT OF NEVADA**

18 In re:
19 FRONT SIGHT MANAGEMENT, LLC
20 Debtor.

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

**NOTICE OF PARTIAL WITHDRAWAL OF
LAS VEGAS DEVELOPMENT FUND,
LLC’S MOTION FOR LIMITED
PROTECTIVE ORDER**

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25 Las Vegas Development Fund, LLC (“**LVDF**”), by and through its attorneys Andrea M.
26 Champion, Esq., of Jones Lovelock and Brian D. Shapiro, Esq., of the Law Office of Brian D. Shapiro,
27 LLC, filed its Motion for Limited Protective Order on March 6, 2023 (the “**Motion**”) [ECF No. 736].
28 After the filing of the Motion, the parties continued to meet and confer on discovery issues, including

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1 Front Sight Management, LLC’s written discovery and 30(b)(6) topics seeking the disclosure of EB-
2 5 investor information and payments made by Front Sight that may have been ear-marked for
3 marketing costs. Based on those meet and confer efforts, and based on the undersigned counsel’s
4 subsequent review of the prior productions and procedural history, LVDF hereby withdraws only
5 those portions of LVDF’s pending Motion that relate to (i) the identities of the EB-5 investors
6 (including their contact information) and (ii) the payments made by Front Sight to LVDF that are
7 specifically identified in topic 11(b), (c), (d), (e), and (f).

8 LVDF has simultaneously notified Front Sight’s counsel, a copy of which is attached hereto
9 as Exhibit 1.

10 LVDF, however, maintains the portions of its Motion that relates to: (i) the compensation of
11 foreign placement consultants or agents and (ii) LVDF and other parties’ personal financial
12 information, including but not limited to, the use of interest payments made by Front Sight to LVDF.

13 DATED this 9th day of March, 2023.

14 /s/ Andrea M. Champion, Esq.
15 Andrea M. Champion, Esq. (13461)
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*Attorneys for Las Vegas Development
Fund, LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the **NOTICE OF PARTIAL WITHDRAWAL OF LAS VEGAS DEVELOPMENT FUND, LLC'S MOTION FOR LIMITED PROTECTIVE ORDER** was served on the 9th day of March 2023, via the Court's CM/ECF Noticing System on all registered users in this case.

By /s/ Julie Linton
An Employee of JONES LOVELOCK

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EXHIBIT “1”

EXHIBIT “1”



JONES LOVELOCK

March 9, 2023

Via E-Mail: tpilatowicz@gtg.legal.

Teresa M. Pilatowicz, Esq.
Garman Turner Gordon
7251 Amigo Street, Suite 210
Las Vegas, Nevada 89119

Re: *In re Front Sight Management* —Las Vegas Development Fund, LLC’s partial withdrawal of the pending Motion for Limited Protective Order [ECF No. 736]

Dear Ms. Pilatowicz,

This letter serves as LVDF’s notice that it intends to file a notice to withdraw that portion of LVDF’s pending Motion for Limited Protective Order that relates to the identities of the EB-5 investors (including their contact information) and as to topic 11 subsections b, c, d, e, and f within Front Sight’s 30(b)(6) notice of LVDF. While LVDF filed its Motion in good faith on March 6, 2023 based on the parties’ prior meet-and-confer efforts and related correspondence, when we met in person on March 7, 2023, Mr. Ciciliano from your office mentioned that the investor information was included in the documents already in production. In response, we asked if there was a particular document Front Sight could point us to demonstrating that investor information was already disclosed and if so, we said that we would confer with our client to determine if LVDF’s position would change. While Front Sight declined to identify any such document(s), in light of our discussion, LVDF revisited the documents and procedural history to determine if there was any potential waiver of the investor information.

We have since determined that LVDF produced thousands of redacted documents in 2020. A number of those documents contained redactions for information that was subject to the June 30, 2020 Protective Order, including but not limited to, redacting EB-5 investor and potential investors’ names and contact information. LVDF served a redaction log on Front Sight’s former counsel, Aldrich Law Firm, Ltd., on January 22, 2021. In February 2021, once LVDF was represented by new counsel, Front Sight filed a Motion to (1) De-Designate Documents Disclosed by Defendants and Marked as “Outside Counsel Eyes Only” Pursuant to Protective Orders; (2) Compel Defendants to Provide Unredacted

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Documents; and (3) for a Declaration that the “Outside Counsel Eyes Only” Designation Does Not Apply to the NES Documents. Within that Motion, Front Sight represented to the State Court that LVDF had failed to justify the redactions in a privilege or redaction log. Based on Front Sight’s representations, the State Court, on April 22, 2021 entered a Findings of Fact and Conclusions of Law stating that because LVDF failed to provide a privilege log to describe what had been redacted, the documents must be produced unredacted. LVDF, through prior counsel, then produced those documents unredacted.

While LVDF respectfully disagrees with the State Court’s April 22, 2021 Order and vehemently disputes Front Sight’s representations to the State Court (upon which the Court premised its decision), LVDF did in fact re-produce documents that included the disclosure of EB-5 investor names and contact information. That production was pursuant to a Court Order.

As we have discussed during our meet and confer efforts, while LVDF believes the information sought by Front Sight was irrelevant, LVDF had additional (and reasonable) concerns about providing testimony and producing documents in violation of standing protective orders. Based on the above, LVDF has now made the decision to withdraw that portion of its pending Motion for Limited Protective Order regarding the EB-5 investors.

In addition, pursuant to my March 4, 2023 email, I have been working with my client to determine if any of the payments identified in topic 11 were in fact payments made by Front Sight to LVDF that were intended to be earmarked for marketing. LVDF has since determined that topic 11, subsections b, c, d, e, and f were in fact payments made by Front Sight that were earmarked for marketing. Accordingly, LVDF is also withdrawing that portion of the Motion for Limited Protective Order relating to those sub-topics.

We have not determined, and you have not suggested, that there is any waiver or disclosure of LVDF’s compensation of foreign placement agents or the use of interest payments made by Front Sight. Therefore, only those topics will remain at issue in the Motion for Limited Protective Order. Contemporaneous with this letter, our office will be filing a formal notice with the Court advising them of the partial withdrawal of LVDF’s Motion for Limited Protective Order as well as providing the Court with a copy of this letter.

Sincerely,

A handwritten signature in blue ink that reads "Andrea M. Champion". The signature is written in a cursive style with a long horizontal flourish at the end.

Andrea M. Champion, Esq.

cc: Brian Shapiro, Esq.