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12 Attorneys for Province, LLC, solely in its capacity as  
 13 the Liquidating Trustee of the Front Sight Creditors Trust

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

16 In re:  
 17 Front Sight Management LLC,  
 18  
 19 Debtor.

Case No. 22-11824-abl

Chapter 11

**Hearing Date:** March 12, 2024

**Hearing Time:** 1:30 p.m.

20 **DECLARATION OF AMANDA DEMBY SWIFT IN SUPPORT OF LIQUIDATING**  
 21 **TRUSTEE’S MOTION FOR AN ORDER IN AID OF IMPLEMENTATION OF**  
 22 **CONFIRMED CHAPTER 11 PLAN OF REORGANIZATION DEEMING UNCLAIMED**  
 23 **DISTRIBUTIONS TO CERTAIN HOLDERS OF ALLOWED CLAIMS TO BE FORFEITED**  
 24 **TO THE LIQUIDATING TRUST PURSUANT TO 11 U.S.C. §§ 105(a) AND 1142 AND**  
 25 **BANKRUPTCY RULE 3020(d)**

26 I, Amanda Demby Swift, hereby declare as follows:

27 1. I am a principal of Province, LLC (the “Liquidating Trustee”), which is the duly  
 28 appointed liquidating trustee for the Front Sight Creditors Trust (the “Trust”), and I am the  
 individual charged with acting on the Liquidating Trustee’s behalf. In my capacity in serving on  
 behalf of the Liquidating Trustee, I am responsible for overseeing and generally managing the

1 Trust's efforts to maximize the value of the estate for distributions to holders of allowed general  
2 unsecured claims.

3 2. Except as otherwise indicated, all statements herein are based on my personal  
4 knowledge, my review of Front Sight Management LLC's (the "Debtor") books and records, and/or  
5 my opinion based upon my experience and knowledge of the matters at issue. I am over 18 years of  
6 age, and if called upon to testify, I could and would competently testify to each of the facts set forth  
7 herein based on my personal knowledge, review of the documents, or opinion. I am authorized to  
8 submit this Declaration on the Liquidating Trustee's behalf.

9 3. I make this declaration in support of the *Liquidating Trustee's Motion for an Order in*  
10 *Aid of Implementation of Confirmed Chapter 11 Plan of Reorganization Deeming Unclaimed*  
11 *Distributions to Certain Holders of Allowed Claims to be Forfeited to the Liquidating Trust*  
12 *Pursuant to 11 U.S.C. §§ 105(a) and 1142 and Bankruptcy Rule 3020(d)* (the "Motion") filed  
13 concurrently herewith. Any capitalized term not defined in this Declaration has the same meaning  
14 ascribed to it in the Motion.

15 4. Attached to the Motion as **Exhibit 1** is a list of each of the Affected Creditors organized  
16 alphabetically by the Affected Creditors' last name, or first name for businesses, and shows the  
17 claim number for, and the amount of, each of the Affected Claims. Exhibit 1 was prepared by me  
18 and others who worked under my supervision. To the best of my knowledge, information, and  
19 belief, Exhibit 1 accurately identifies each of the Affected Creditors and each of the Affected  
20 Claims. The Affected Claims of the Affected Creditors total, in the aggregate, approximately \$1.58  
21 million.

22 5. More than 3,900 claims were asserted against the Debtor's estate, including  
23 approximately 2,900 claims scheduled claims and at least 1,073 filed proofs of claim. The  
24 Liquidating Trustee has objected to all of the objectionable unsecured claims and thereby reduced  
25 outstanding claims against the estate significantly.

26 6. I am familiar with the Plan and have consulted its terms. In relevant part, under the  
27 Plan, an unclaimed distribution is defined as:  
28

1 (d) disbursements that were not made because the Holder of such  
2 Allowed Claim failed to provide required tax information within forty-  
3 five (45) days after the Reorganized Debtor has sent any request for  
same to such Claimant’s address as reflected in the Schedules and/or  
such Claimant’s Proof of Claim.

4 Plan, Section III.I.3, p. 38.

5 7. Additionally, pursuant to the Confirmation Order and Liquidating Trust Agreement,  
6 any unclaimed distribution attributable to an allowed general unsecured claim shall be forfeited to  
7 the Trust. Confirmation Order, ¶ 28(c), p. 25.

8 8. Since November 2023, the Liquidating Trustee has provided several letters and/or  
9 emails (described below) to each of the Affected Creditors notifying them of their obligation to  
10 provide their taxpayer identification numbers to the Liquidating Trustee. The correspondence also  
11 notified the Affected Creditors that their respective claims would be forfeited unless they provided  
12 this information to the Liquidating Trustee.

13 9. In this regard, the Liquidating Trustee, via the Debtor’s claim agent Stretto, sent a  
14 letter to the Affected Creditors on November 10, 2023, via first-class mail and/or email. A true and  
15 correct copy of the November 10, 2023, letter is attached hereto as **Exhibit A**. This letter included  
16 the following:

17 Under the terms of the Plan, the Trustee will make distributions of  
18 available case on account of claim(s) that have been “Allowed” against  
19 the Debtor (as defined in the Plan) from certain escrow accounts  
20 established under the Plan. **However, in order for you to receive a  
distribution from the Trust, you must complete a W-9 (or W-8)  
and return it to the Trustee.** The Trustee intends to commence  
21 distributions and requires this information to make any such cash  
22 distribution. **I.e., if you are entitled to a distribution from the Trust  
on account of an “Allowed” claim, you must read and respond to  
this letter with your W-9 (or W-8).**

23  
24 In compliance with IRS rules for tax reporting (Internal Revenue  
25 Service Revenue Procedure 94-45, 1994-2 C.B. 684, and Treasury  
26 Regulations Sections 301.7701-4(d)), and as set forth under the Plan,  
27 you are required to provide the Trustee with a Taxpayer Identification  
28 Number (“TIN”) using the enclosed Form W-9 (or, if applicable, a W-  
8 Form). **If you are an individual, your TIN is your social security  
number.** If you are a business, your TIN is in most cases your  
employer identification number.

1 Per the IRS rules, a holder of an Allowed claim must provide the  
2 Trustee with its TIN to receive a distribution. If a holder of an Allowed  
3 claim fails to do so by **December 28, 2023**, its distribution may be  
4 treated as an unclaimed and undeliverable distribution, and its  
5 distribution and all future distributions may be subject to forfeiture. IF  
6 YOU DO NOT RETURN THE ENCLOSED W-9 (OR, IF  
7 APPLICABLE, W-8) TO THE TRUSTEE, YOU WILL NOT BE  
8 ENTITLED TO RECEIVE A DISTRIBUTION ON YOUR  
9 ALLOWED CLAIM.

10 **To avoid forfeiting your right to distributions, if any, please return**  
11 **your completed Form W-9 (or, if applicable, a completed W-8**  
12 **Form) to Amanda Swift by mail to:**

13 Front Sight Liquidating Trust  
14 c/o Province, LLC  
15 Attn: Amanda Swift  
16 11111 Santa Monica Blvd. Suite 525  
17 Los Angeles, CA 90025

18 **Forms can also be submitted by email to**  
19 **frontsight\_claims@provincefirm.com.**  
20 **(frontsite\_claims@provincefirm.com)**

21 **Please take notice that your failure to provide a completed Form**  
22 **W-9 (or, if applicable, a completed Form W-8) that includes your**  
23 **TIN by no later than December 10, 2023 will result in loss of any**  
24 **right you may have to receive any current or future distribution**  
25 **under the Plan.**

26 (emphasis in original).

27 10. The Liquidating Trustee sent, via the Debtor's claim agent Stretto, substantially the  
28 same notice as contained in the November 10, 2023 letter by two additional letters to each of the  
Affected Creditors via first-class mail, including one on December 15, 2023, and one on January 8,  
2024. A true and correct copy of each is attached hereto, respectively, as **Exhibit B** and **Exhibit C**.  
The December 15, 2023, letter was also sent via email by Stretto to each Affected Creditor for which  
the Liquidating Trustee and Stretto have a valid email address on file.

11 11. In addition, Stretto sent three emails to the Affected Creditors reminding them of their  
12 obligation to submit their taxpayer identification number to the Liquidating Trustee as a condition to  
13 receiving any distribution under the Plan and providing the Affected Creditors with a link to the  
14 required forms. The first of these emails was sent on January 3, 2024, which provided:

Front Sight Creditor –

You have a claim in the Front Sight bankruptcy case. To date, the Liquidating Trustee in the Front Sight bankruptcy case has not received a W-9 form (or W-8 if you are a citizen of a foreign country) from you. Please fill out the correct form and submit the form electronically with the links below. **If the liquidating trustee does not receive a completed W-9 (or W-8) form from you, then you will not receive any distribution.**

**Link to complete a W-9 Form**

**Link to complete a W-8 Form**

**Link to upload a completed PDF copy of either form**

(emphasis in original).

12. A true and correct copy of the January 3, 2024, email is attached hereto as **Exhibit D**.

13. To the extent that the Liquidating Trustee did not have a valid email address for an Affected Creditor, the January 3, 2024, notice was sent to the creditor via first-class mail.

14. Stretto sent substantially the same notice as contained in the January 3, 2024, email by two additional emails to each of the Affected Creditors, including one on January 10, 2024, and one on January 24, 2024. A true and correct copy of each is attached hereto, respectively, as **Exhibit E** and **Exhibit F**.

15. To the extent that the Liquidating Trustee did not have a valid email address for an Affected Creditor, these notices were sent to the creditor via first-class mail.

16. As of the date this Declaration was filed, none of the Affected Creditors have provided their taxpayer identification number to the Liquidating Trustee despite the Plan’s provision in this regard and the foregoing written notices described herein.

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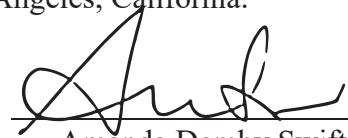
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1 17. For the foregoing reasons, I believe that the Motion should be granted and each of the  
2 Affected Claims should be deemed to be forfeited as specified in the Motion.

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

5 Executed on this 13<sup>th</sup> day of February 2024 in Los Angeles, California.

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8 Amanda Demby Swift

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# EXHIBIT A

# PROVINCE

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November 10, 2023

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## Immediate Response Required

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Re: Front Sight Management LLC, Case No. 22-11824 ABL (the “Front Sight Case”)  
United States Bankruptcy Court for the District of Nevada

### REQUEST FOR TAXPAYER IDENTIFICATION NUMBER – IMPORTANT INFORMATION CONCERNING YOUR CLAIM

Dear Creditor:

On May 24, 2022, Front Sight Management LLC (the “Debtor”) filed a voluntary chapter 11 bankruptcy petition in the United States Bankruptcy Court for the District of Nevada (the “Bankruptcy Court”). On November 29, 2022, the Bankruptcy Court entered an order in the Front Sight Case confirming the *Debtor’s Second Amended Chapter 11 Plan of Reorganization* (the “Plan”). On December 2, 2022, the Effective Date of the Plan occurred and the Liquidating Trust (the “Trust”) was formed in accordance with the Plan and certain related documents. At the same time, Province, LLC was appointed the trustee of the Trust (the “Trustee”).

Under the terms of the Plan, the Trustee will make distributions of available cash on account of claim(s) that have been “Allowed” against the Debtor (as defined in the Plan) from certain escrow accounts established under the Plan. **However, in order for you to receive a distribution from the Trust, you must complete a W-9 (or W-8) and return it to the Trustee.** The Trustee intends to commence distributions and requires this information to make any such cash distribution. **I.e., if you are entitled to a distribution from the Trust on account of an “Allowed” claim, you must read and respond to this letter with your W-9 (or W-8).**

In compliance with IRS rules for tax reporting (Internal Revenue Service Revenue Procedure 94-45, 1994-2 C.B. 684, and Treasury Regulations Sections 301.7701-4(d)), and as set forth under the Plan, you are required to provide the Trustee with a Taxpayer Identification Number (“TIN”) using the enclosed Form W-9 (or, if applicable, a W-8 Form). **If you are an individual, your TIN is your social security number.** If you are a business, your TIN is in most cases your employer identification number.

Per the IRS rules, a holder of an Allowed claim must provide the Trustee with its TIN to receive a distribution. If a holder of an Allowed claim fails to do so by **December 28, 2023**, its distribution may be treated as an unclaimed and undeliverable distribution, and its distribution and all future distributions may be subject to forfeiture. **IF YOU DO NOT RETURN THE ENCLOSED W-9 (OR, IF APPLICABLE, W-8) TO THE TRUSTEE, YOU WILL NOT BE ENTITLED TO RECEIVE A DISTRIBUTION ON YOUR ALLOWED CLAIM.**



# PROVINCE

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**To avoid forfeiting your right to distributions, if any, please return your completed Form W-9 (or, if applicable, a completed W-8 Form) to Amanda Swift by mail to:**

Front Sight Liquidating Trust  
c/o Province, LLC  
Attn: Amanda Swift  
11111 Santa Monica Blvd. Suite 525  
Los Angeles, CA 90025

Forms can also be submitted by email to [frontsight\\_claims@provincefirm.com](mailto:frontsight_claims@provincefirm.com).  
([frontsite\\_claims@provincefirm.com](mailto:frontsite_claims@provincefirm.com))

**Please take notice that your failure to provide a completed Form W-9 (or, if applicable, a completed Form W-8) that includes your TIN by no later than December 10, 2023 will result in loss of any right you may have to receive any current or future distribution under the Plan.**

If you have any questions regarding the legal or tax aspects of the Plan or Front Sight Liquidating Trust, you must contact your own attorney or tax preparer. Neither the Trustee nor its attorneys or accountants will advise you regarding the impact of the Plan or Trust on any creditor or beneficiary. Should you have any other questions, please contact Susan K. Seflin, counsel for the Trustee, at [sseflin@bg.law](mailto:sseflin@bg.law) or (818) 827-9000.

Very truly yours,

/s/ Amanda Swift

Amanda Swift

On behalf of the Front Sight Liquidating Trust

# **EXHIBIT B**

# PROVINCE

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December 15, 2023

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## **2<sup>ND</sup> REQUEST Immediate Response Required**

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Re: Front Sight Management LLC, Case No. 22-11824 ABL (the “Front Sight Case”)  
United States Bankruptcy Court for the District of Nevada

### **REQUEST FOR TAXPAYER IDENTIFICATION NUMBER – IMPORTANT INFORMATION CONCERNING YOUR CLAIM**

Dear Creditor:

On May 24, 2022, Front Sight Management LLC (the “Debtor”) filed a voluntary chapter 11 bankruptcy petition in the United States Bankruptcy Court for the District of Nevada (the “Bankruptcy Court”). On November 29, 2022, the Bankruptcy Court entered an order in the Front Sight Case confirming the *Debtor’s Second Amended Chapter 11 Plan of Reorganization* (the “Plan”). On December 2, 2022, the Effective Date of the Plan occurred and the Liquidating Trust (the “Trust”) was formed in accordance with the Plan and certain related documents. At the same time, Province, LLC was appointed the trustee of the Trust (the “Trustee”).

Under the terms of the Plan, the Trustee will make distributions of available cash on account of claim(s) that have been “Allowed” against the Debtor (as defined in the Plan) from certain escrow accounts established under the Plan. **However, in order for you to receive a distribution from the Trust, you must complete a W-9 (or W-8) and return it to the Trustee.** The Trustee intends to commence distributions and requires this information to make any such cash distribution. **I.e., if you are entitled to a distribution from the Trust on account of an “Allowed” claim, you must read and respond to this letter with your W-9 (or W-8).**

In compliance with IRS rules for tax reporting (Internal Revenue Service Revenue Procedure 94-45, 1994-2 C.B. 684, and Treasury Regulations Sections 301.7701-4(d)), and as set forth under the Plan, you are required to provide the Trustee with a Taxpayer Identification Number (“TIN”) using the enclosed Form W-9 (or, if applicable, a W-8 Form). **If you are an individual, your TIN is your social security number.** If you are a business, your TIN is in most cases your employer identification number.

Per the IRS rules, a holder of an Allowed claim must provide the Trustee with its TIN to receive a distribution. If a holder of an Allowed claim fails to do so by **December 28, 2023**, its distribution may be treated as an unclaimed and undeliverable distribution, and its distribution and all future distributions may be subject to forfeiture. **IF YOU DO NOT RETURN THE ENCLOSED W-9 (OR, IF APPLICABLE, W-8) TO THE TRUSTEE, YOU WILL NOT BE ENTITLED TO RECEIVE A DISTRIBUTION ON YOUR ALLOWED CLAIM.**

# PROVINCE

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Front Sight Liquidating Trust  
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Attn: Amanda Swift  
11111 Santa Monica Blvd. Suite 525  
Los Angeles, CA 90025

**Forms can also be submitted by email to [frontsight\\_claims@provincefirm.com](mailto:frontsight_claims@provincefirm.com).  
([frontsight\\_claims@provincefirm.com](mailto:frontsight_claims@provincefirm.com))**

**Please take notice that your failure to provide a completed Form W-9 (or, if applicable, a completed Form W-8) that includes your TIN by no later than December 28, 2023 will result in loss of any right you may have to receive any current or future distribution under the Plan.**

If you have any questions regarding the legal or tax aspects of the Plan or Front Sight Liquidating Trust, you must contact your own attorney or tax preparer. Neither the Trustee nor its attorneys or accountants will advise you regarding the impact of the Plan or Trust on any creditor or beneficiary. Should you have any other questions, please contact Susan K. Seflin, counsel for the Trustee, at [sseflin@bg.law](mailto:sseflin@bg.law) or (818) 827-9000.

Very truly yours,

/s/ Amanda Swift

Amanda Swift

On behalf of the Front Sight Liquidating Trust

# **EXHIBIT C**

# PROVINCE

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January 8, 2024

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**FINAL REQUEST Immediate Response Required**

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Re: Front Sight Management LLC, Case No. 22-11824 ABL (the “Front Sight Case”)  
United States Bankruptcy Court for the District of Nevada

## **REQUEST FOR TAXPAYER IDENTIFICATION NUMBER – IMPORTANT INFORMATION CONCERNING YOUR CLAIM**

Dear Creditor:

On May 24, 2022, Front Sight Management LLC (the “Debtor”) filed a voluntary chapter 11 bankruptcy petition in the United States Bankruptcy Court for the District of Nevada (the “Bankruptcy Court”). On November 29, 2022, the Bankruptcy Court entered an order in the Front Sight Case confirming the *Debtor’s Second Amended Chapter 11 Plan of Reorganization* (the “Plan”). On December 2, 2022, the Effective Date of the Plan occurred and the Liquidating Trust (the “Trust”) was formed in accordance with the Plan and certain related documents. At the same time, Province, LLC was appointed the trustee of the Trust (the “Trustee”).

Under the terms of the Plan, the Trustee will make distributions of available cash on account of claim(s) that have been “Allowed” against the Debtor (as defined in the Plan) from certain escrow accounts established under the Plan. **However, in order for you to receive a distribution from the Trust, you must complete a W-9 (or W-8) and return it to the Trustee.** The Trustee intends to commence distributions and requires this information to make any such cash distribution. **I.e., if you are entitled to a distribution from the Trust on account of an “Allowed” claim, you must read and respond to this letter with your W-9 (or W-8).**

In compliance with IRS rules for tax reporting (Internal Revenue Service Revenue Procedure 94-45, 1994-2 C.B. 684, and Treasury Regulations Sections 301.7701-4(d)), and as set forth under the Plan, you are required to provide the Trustee with a Taxpayer Identification Number (“TIN”) using the enclosed Form W-9 (or, if applicable, a W-8 Form). **If you are an individual, your TIN is your social security number.** If you are a business, your TIN is in most cases your employer identification number.

Per the IRS rules, a holder of an Allowed claim must provide the Trustee with its TIN to receive a distribution. If a holder of an Allowed claim fails to do so, its distribution may be treated as an unclaimed and undeliverable distribution, and its distribution and all future distributions may be subject to forfeiture. **IF YOU DO NOT RETURN THE ENCLOSED W-9 (OR, IF APPLICABLE, W-8) TO THE TRUSTEE, YOU WILL NOT BE ENTITLED TO RECEIVE A DISTRIBUTION ON YOUR ALLOWED CLAIM.**

# PROVINCE

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**To avoid forfeiting your right to distributions, if any, please return your completed Form W-9 (or, if applicable, a completed W-8 Form) to Amanda Swift by mail to:**

Front Sight Liquidating Trust  
c/o Province, LLC  
Attn: Amanda Swift  
11111 Santa Monica Blvd. Suite 525  
Los Angeles, CA 90025

Forms can also be submitted by email to [frontsight\\_claims@provincefirm.com](mailto:frontsight_claims@provincefirm.com).  
([frontsight\\_claims@provincefirm.com](mailto:frontsight_claims@provincefirm.com))

**Please take notice that your failure to provide a completed Form W-9 (or, if applicable, a completed Form W-8) that includes your TIN will result in loss of any right you may have to receive any current or future distribution under the Plan.**

If you have any questions regarding the legal or tax aspects of the Plan or Front Sight Liquidating Trust, you must contact your own attorney or tax preparer. Neither the Trustee nor its attorneys or accountants will advise you regarding the impact of the Plan or Trust on any creditor or beneficiary. Should you have any other questions, please contact Susan K. Seflin, counsel for the Trustee, at [sseflin@bg.law](mailto:sseflin@bg.law) or (818) 827-9000.

Very truly yours,

/s/ Amanda Swift

Amanda Swift

On behalf of the Front Sight Liquidating Trust

# EXHIBIT D



**From:** [noreply@cases-cr.stretto-services.com](mailto:noreply@cases-cr.stretto-services.com)  
**To:** [Team Front Sight](#)  
**Subject:** Final Request for W-9 for Distribution in Front Sight Bankruptcy Case No. 22-bk-11824-abl  
**Date:** Thursday, February 08, 2024 6:51:41 PM

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**[External Email]**

Front Sight Creditor –

You have a claim in the Front Sight bankruptcy case. To date, the Liquidating Trustee in the Front Sight bankruptcy case has not received a W-9 form (or W-8 if you are a citizen of a foreign country) from you. Please fill out the correct form and submit the form electronically with the links below. **If the liquidating trustee does not receive a completed W-9 (or W-8) form from you, then you will not receive any distribution.**

[Link to complete a W-9 Form](#)

[Link to complete a W-8 Form](#)

[Link to upload a completed PDF copy of either form](#)

Thank you,

The Stretto Team

[unsubscribe](#)

# EXHIBIT E

**From:** [noreply@cases-cr.stretto-services.com](mailto:noreply@cases-cr.stretto-services.com)  
**To:** [Team Front Sight](#)  
**Subject:** Final Request for W-9 for Distribution in Front Sight Bankruptcy Case No. 22-bk-11824-abl  
**Date:** Thursday, February 08, 2024 6:51:35 PM

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**[External Email]**

Front Sight Creditor –

**You are receiving this email because you submitted an INCOMPLETE W9 due to the following reason:**

- **No Check Mark in Box 3**
- **No SSN or TIN provided**

You have a claim in the Front Sight bankruptcy case. To date, the Liquidating Trustee in the Front Sight bankruptcy case has not received a W-9 form (or W-8 if you are a citizen of a foreign country) from you. Please fill out the correct form and submit the form electronically with the links below. **If the liquidating trustee does not receive a completed W-9 (or W-8) form from you, then you will not receive any distribution.**

**[Link to complete a W-9 Form](#)**

**[Link to complete a W-8 Form](#)**

**[Link to upload a completed PDF copy of either form](#)**

Thank you,

The Stretto Team

[unsubscribe](#)

# EXHIBIT F

**From:** [noreply@cases-cr.stretto-services.com](mailto:noreply@cases-cr.stretto-services.com)  
**To:** [Team Front Sight](#)  
**Subject:** Final Request for W-9 for Distribution in Front Sight Bankruptcy Case No. 22-bk-11824-abl  
**Date:** Thursday, February 08, 2024 6:51:23 PM

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**[External Email]**

Front Sight Creditor –

**You are receiving this email because you submitted an INCOMPLETE W9 due to the one of the following reasons:**

- **No SSN or TIN provided**
- **No Check Mark in Box 3**

You have a claim in the Front Sight bankruptcy case. To date, the Liquidating Trustee in the Front Sight bankruptcy case has not received a W-9 form (or W-8 if you are a citizen of a foreign country) from you. Please fill out the correct form and submit the form electronically with the links below. **If the liquidating trustee does not receive a completed W-9 (or W-8) form from you, then you will not receive any distribution.**

**[Link to complete a W-9 Form](#)**

**[Link to complete a W-8 Form](#)**

**[Link to upload a completed PDF copy of either form](#)**

Thank you,

The Stretto Team

[unsubscribe](#)