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7 Attorneys for Chapter 11 Debtor  
 and Debtor in Possession

8 **UNITED STATES BANKRUPTCY COURT**  
 9 **DISTRICT OF NEVADA**

11  
 12 In re  
 13 Front Sight Management LLC,

Case No. 22-11824-abl

Chapter 11

**Continued Hearing Date:** August 3, 2022  
**Continued Hearing Time:** 3:00 p.m.

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 18 **DECLARATION OF SUSAN K. SEFLIN SUBMITTING REDLINE OF PROPOSED**  
 19 **ORDER ON DEBTOR’S MOTION FOR ORDER ESTABLISHING PROCEDURES**  
 20 **FOR INTERIM MONTHLY COMPENSATION AND REIMBURSEMENT OF**  
 21 **EXPENSES OF PROFESSIONALS**

22 I, Susan K. Sefflin, hereby declare as follows:

23 1. I am an attorney duly licensed to practice law in the State of California and admitted  
 24 pro hac vice to this Court pursuant to Court order entered on June 2, 2022 [ECF No. 83].

25 2. I am a partner of BG Law LLP, chapter 11 bankruptcy counsel to Front Sight  
 26 Management LLC, the chapter 11 debtor in possession herein (the “Debtor”). I have personal  
 27 knowledge of the facts contained in this declaration, and if called as a witness, I would and could  
 28 competently testify thereto under oath.



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

In re:

Front Sight Management LLC,

Debtor.

Case No. 22-11824-abl

Chapter 11

**Continued Hearing Date:** August 3, 2022

**Continued Hearing Time:** 3:00 p.m.

**ORDER ESTABLISHING PROCEDURES FOR INTERIM MONTHLY  
COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR PROFESSIONALS**

Front Sight Management LLC, the chapter 11 debtor in possession herein (the “Debtor”),  
filed its *Motion for Order Establishing Procedures for Interim Monthly Compensation and*

1 Reimbursement of Expenses of Professionals (the “Motion”) on June 27, 2022.<sup>1</sup> The initial hearing  
2 on the Motion was heard and considered by the above-captioned Court on July 25, 2022, at 9:30 a.m.  
3 and a continued hearing was held on August 3, 2022 at 3:00 p.m. (collectively, the “Hearings”). All  
4 appearances were duly noted on the record of the Hearings.

5 The Court reviewed the Motion and the other pleadings on file and heard and considered the  
6 argument of counsel. The Court stated its findings of fact and conclusions of law on the record at  
7 the Hearings on the Motion, which findings of fact and conclusions of law are incorporated herein  
8 by this reference in accordance with Rule 52 of the Federal Rules of Civil Procedure, as made  
9 applicable by Bankruptcy Rule 9014. It appearing that the relief requested is necessary to preserve  
10 the Debtor’s ongoing operations, and is in the best interest of the Debtor, the estate, and creditors;  
11 and in the light of the circumstances and the nature of the relief requested; and after due deliberation  
12 and sufficient cause appearing therefor,

13 **IT IS HEREBY ORDERED** as follows:

14 1. The Motion is granted in its entirety.

15 2. The term “Professionals” (or individually, a “Professional”) as set forth herein shall  
16 include all estate professionals, including counsel for the Official Committee of Unsecured Creditors  
17 for the Estate of Front Sight Management LLC (the “Creditors’ Committee”), ~~except as may~~  
18 ~~otherwise be ordered by the Court.~~

19 3. The term Professionals shall not include Stretto and Lucas Horsfall for the reasons  
20 provided in the Motion.

21 4. The monthly payment of compensation and reimbursement of expenses of the  
22 Professionals shall be as follows:

- 23 a. On or before the 15th day of each month following the month for which  
24 compensation is sought, each Professional will submit, *via* e-mail, a monthly statement (the  
25 “Statement”) to the following parties; (i) the Debtor, Attn: Ignatius Piazza  
26 (ignatius@frontsight.com); (ii) proposed counsel to the Debtor, BG Law LLP, 300 S. 4<sup>th</sup>  
27 Street, Suite 1550, Las Vegas, Nevada 89101, Attn: Susan K. Seflin (sseflin@bg.law); (iii)  
28 the Office of the United States Trustee for the District of Nevada, 300 Las Vegas Boulevard,  
Suite 4300, Las Vegas, NV 89101, Attn: Edward M. McDonald, Esq.  
(~~edward~~ dward.m.mcdonald@usdoj.gov); (iv) the proposed counsel for the Committee,

<sup>1</sup> All capitalized, undefined terms shall have the meanings ascribed to them in the Motion.

1 Carlyon Cica CHTD., 265 E. Warm Springs Road, Suite 107, Las Vegas, Nevada 89119,  
 2 Attn: Dawn M. Cica (dcica@carlyoncica.com) and Kelley Drye & Warren LLP, 3 World  
 3 Trade Center, 175 Greenwich Street, New York, New York 10007, Attn: Robert L. LeHane  
 4 (jrlehane@kelleydrye.com) and Lauren Schlusser (lschlusser@kelleydrye.com); and (v)  
 5 counsel for FS DIP, LLC, Schwartz Law, PLLC, 601 East Bridger Avenue, Las Vegas, NV  
 6 89101, Attn: Samuel Schwartz (saschwartz@nvfirm.com) ~~such other persons or entities as~~  
 7 ~~ordered by the Court~~ (each, a “Reviewing Party,” and collectively, the “Reviewing  
 8 Parties”). To the extent applicable, each such statement shall contain a detailed itemization  
 9 of fees and costs as required by the United States Trustee Guidelines for Reviewing  
 10 Applications for Compensation and Reimbursement of Expenses filed under Section  
 11 330. Each Reviewing Party will have 15 days after receipt of a Statement to review it. At  
 12 the expiration of this 15-day review period, the Debtor will promptly pay (i) 80% of the fees  
 13 and all of the expenses requested in such Statement or (ii) the maximum allocated to such  
 14 professional as set forth in the Debtor’s budget approved by its post-petition lender, except  
 15 such fees or disbursements as to which an objection has been served by a Reviewing Party as  
 16 provided in subparagraph (b) below. Any Professional that fails to file a Statement for a  
 17 particular month or months may subsequently submit a consolidated Statement that includes  
 18 a request for compensation earned or expenses incurred during previous months. All  
 19 Professionals will provide a bi-weekly report of their fees to the Debtor’s financial advisor,  
 20 Province, LLC, as requested.

13 b. If a Reviewing Party objects to the compensation or reimbursement sought in  
 14 a Statement, the objecting party shall, within 15 days of the receipt of the Statement, serve  
 15 via e-mail upon all other Reviewing Parties a written “Notice of Objection to Fee Statement”  
 16 (the “Objection Notice”) setting forth the precise nature of the objection and amount at issue.  
 17 Thereafter, the objecting party and the Professional whose Statement is the subject of an  
 18 Objection Notice shall attempt to reach a resolution. If the parties are unable to reach an  
 19 agreement on the objection within ten (10) days after receipt of such objection, the  
 20 Professional whose Statement is objected to shall have the option of (i) filing the Objection  
 21 Notice with the Court, together with a request for payment of the disputed amount, or (ii)  
 22 foregoing payment of the disputed amount until the next interim fee application hearing, at  
 23 which time the Court will consider and dispose of the issue if payment of the disputed  
 24 amount is requested. The Debtor will be required to pay any portion of the fees and  
 25 disbursements requested that are not the subject of an Objection Notice promptly.

21 c. Upon entry of this Order, ~~if these procedures are approved,~~ the Professionals  
 22 would bear required to submit their first Statement on or before August 15, 2022. This  
 23 Statement would should cover the period from the Petition Date (or date of employment)  
 24 through July 31, 2022.

24 d. After the first 120 days after the Petition Date, and at 120-day intervals  
 25 thereafter, each of the Professionals shall file with the Court and serve on the other  
 26 Reviewing Parties, and any other party who requested special notice in this chapter 11 case,  
 27 an application pursuant to Section 331 for interim Court approval and allowance of the  
 28 compensation and reimbursement of expenses requested for the prior 120 days. The first  
 such application shall be filed on or before September 23, 2022, and shall cover the period  
 from the Petition Date through August 31, 2022. Any Professional who fails to file an  
 application when due shall be ineligible to receive further interim payment of fees and  
 expenses as provided herein until such time as the application is submitted.

1 e. The pendency of an objection to payment of compensation or reimbursement  
2 of expenses shall not disqualify a Professional from the future payment of compensation or  
3 reimbursement of expenses as set forth above.

4 f. Neither the payment of, nor the failure to pay, in whole or in part, monthly  
5 interim compensation and reimbursement as provided herein shall bind any party-in-interest  
6 or the Court with respect to the allowance of applications for compensation and  
7 reimbursement of Professionals.

8 g. Notice of hearings to consider interim fee applications shall be served upon  
9 the Reviewing Parties, ~~and~~ parties that filed requests for special notice only and all ECF  
10 parties.

11 5. Nothing contained herein, or any payment made under the procedures herein, is  
12 intended or shall be construed as (i) an admission as to the validity of any claim against the Debtor,  
13 (ii) a waiver of the Debtor's or any party-in-interest's rights to dispute any claim, or (iii) an approval  
14 or assumption of any agreement, contract, program, policy, or lease under Section 365.

15 6. Failure of a party in interest to object to fees on an interim basis as set forth in the  
16 Motion and herein does not constitute consent to any interim or final fee applications that might be  
17 made, it being expressly understood that all objections to such applications are hereby reserved until  
18 a final fee application is heard and decided by this Court.

19 ~~6.7.~~ Payment of compensation and fees under 11 U.S.C. § 503(b) under the proposed  
20 procedures will require that the claimant file a motion for payment of administrative expense and  
21 obtain an order granting such motion prior to any interim payment being made.

22 IT IS SO ORDERED.

23 Prepared and Submitted by:

24 BG LAW LLP

25 BY: /s/

26 Steven T. Gubner

27 Susan K. Seflin

28 Jessica S. Wellington

Attorneys For Chapter 11 Debtor And Debtor In Possession

**LR 9021 CERTIFICATION**

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In accordance with LR 9021, an attorney submitting this document certifies as follows

(check one):

The court has waived the requirement set forth in LR 9021(b)(1) as to all parties present at the hearing except for counsel for the United States Trustee, counsel for FS DIP, LLC and counsel for Las Vegas Development Fund, LLC.

No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all attorneys who appeared at the hearing and opposed the relief, and each has approved or disapproved the order, or failed to respond, as indicated above.

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