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15  
16 **UNITED STATES BANKRUPTCY COURT**  
17 **DISTRICT OF NEVADA**

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

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

22 **DECLARATION OF ROBERT DZIUBLA IN SUPPORT**  
23 **OF RESPONSE TO AMENDED OBJECTION TO CLAIM NO. 284**  
24 **FILED BY LAS VEGAS DEVELOPMENT FUND, LLC**

25 I, Robert Dziubla, declare as follows:

26 1. I am over eighteen (18) years of age and mentally competent.

27 2. I am currently an individual defendant in the *Front Sight Management LLC v. Las*  
28 *Vegas Development Fund LLC, et al.* matter, which was previously filed in the Eighth Judicial District



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1 Court, State of Nevada under Case No. A-18-781084-B (the “Foreclosure Action”), and which is now  
2 removed to Bankruptcy Adversary Action Case No. 22-01116-ABL.

3 3. I am also an officer of Las Vegas Development Fund LLC (“LVDF”), EB5 Impact  
4 Advisors LLC (“EB5IA”), and EB5 Impact Capital Regional Center LLC (“EB5IC”), which are also  
5 named as defendants in the Front Sight/LVDF Litigation Matter.

6 4. If called upon to testify as to the content of this declaration, I could and would do so.

7 5. I make this declaration in support of the Response to Amended Objection to Claim No.  
8 284 Filed by LVDF (the “Response”).

9 6. In the early states of becoming involved with Front Sight, both myself and Jon Fleming  
10 informed Ignatius Piazza and Michael Meacher, of Front Sight, that we had been involved in an EB-5  
11 raise for the San Diego Hyatt Project. I understand that, as part of Front Sight’s due diligence on myself,  
12 Mr. Fleming, and the EB-5 program, Mr. Meacher spoke to the agents of the regional center for the San  
13 Diego Hyatt Project.

14 7. On July 1, 2017, the parties executed a First Amendment to the CLA which included,  
15 among other things, a reduction in the maximum loan amount from \$75,000,000 to \$50,000,000. This  
16 particular reduction was requested by the foreign placement consultants marketing the project on behalf  
17 of EB5IA in order to solicit additional EB-5 investors (so that potential investors were aware that the  
18 offering was now more limited and to try to leverage that as interest for the Project).

19 8. Attached to the Response as **Exhibit 1** is a true and correct copy of the August 20, 2018  
20 Letter from Ignatius Piazza, on behalf of Front Sight, to LVDF in response to LVDF’s July 30, 2018  
21 Notice of Default. I was aware of this communication when it was received and this correspondence has  
22 been kept in the ordinary course of business.

23 9. Attached to the Response as **Exhibit 2** is a true and correct copy of email correspondence  
24 among myself, Michael Meacher, Scott Preston, Ignatius Piazza, Jon Fleming, Mike Brand, and Letvia  
25 Arza-Goderich dated September 29, 2016 through October 3, 2016. I was aware of this communication  
26 when it was sent and a copy has been kept in the ordinary course of business.

27 10. Attached to the Response as **Exhibit 3** is a true and correct copy of email correspondence  
28 among myself, Ignatius Piazza, Michael Meacher and Mike Brand dated July 2, 2018 through July 16,



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1 2018. I was aware of this communication when it was sent and a copy has been kept in the ordinary  
2 course of business.

3 11. Attached to the Response as **Exhibit 4** is a true and correct copy of email correspondence  
4 among myself, Ignatius Piazza, Michael Meacher, Scott Preston, Jon Fleming, Mike Brand, and Letvia  
5 Arza-Goderich dated September 29, 2016 through October 4, 2016. I was aware of this email  
6 communication when it was received and this email has been kept in the ordinary course of business.

7 12. Attached to the Response as **Exhibit 5** is a true and correct copy of the Amended  
8 Confidential Private Placement Memorandum dated June 1, 2016, which was reviewed and approved by  
9 Front Sight and which recognizes that the offering is on a “best-efforts basis”. This document has been  
10 kept in the ordinary course of business.

11 13. Attached to the Response as **Exhibit 6** is a true and correct copy of the February 14, 2013  
12 Engagement Letter between Front Sight and EB5IA. This document has been kept in the ordinary course  
13 of business.

14 14. Attached to the Response as **Exhibit 8** is a true and correct copy of the February 16, 2017  
15 letter I sent on behalf of LVDF demanding an inspection of Front Sight’s books and records. This letter  
16 has been kept in the ordinary course of business.

17 15. Attached to the Response as **Exhibit 9** is a true and correct copy of the July 30, 2018  
18 Notice of Default and Notice of Inspection I sent on behalf of LVDF to Front Sight. This document been  
19 kept in the ordinary course of business.

20 16. Attached to the Response as **Exhibit 10** is a true and correct copy of the August 2021  
21 expert report of John S. Barrett, as previously disclosed by LVDF.

22 17. Attached to the Response as **Exhibit 11** is a true and correct copy of my May 12, 2016  
23 email correspondence to Michael Meacher, on behalf of Front Sight, providing Front Sight with three  
24 options about how to proceed with the EB-5 loan. This document has been kept in the ordinary course of  
25 business.


26 18. Attached to the Response as **Exhibit 12** is a true and correct copy of the Amended and  
27 Restated Promissory Note dated July 1, 2017. This document has been kept in the ordinary course of  
28 business.



1 19. Attached to the Response as **Exhibit 13** is a true and correct copy of the Construction  
2 Deed of Trust, Security Agreement, Assignment of Leases and Rents, and Fixture Filing, filed as  
3 Document Number 860867 with the Nye County Recorder's Office on October 13, 2016. This document  
4 has been kept in the ordinary course of business.

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

7 DATED this 23<sup>rd</sup> day of January 2023.

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10 Robert W. Dziubla

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