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*Attorney for Creditors, Duc Viet Nguyen,
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	Chapter 11
	§	
HIGHER GROUND EDUCATION, INC., et al., ¹	§	Case No. 25-80121-11 (MVL)
	§	
Debtors.	§	(Jointly Administered)

**DUC VIET NGUYEN, THUY THI THU NGUYEN, AND DIXIT KISHORKUMAR
VORA'S MOTION FOR RULE 2004 EXAMINATIONS OF DEBTOR
EB5AN, LLC, F/K/A EB5 AFFILIATE NETWORK, LLC**

**If you object to the relief requested, you must respond in writing. Unless
otherwise directed by the Court, you must file your response electronically at
<https://ecf.txnb.uscourts.gov/> at least two (2) business days before the start of**

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal identification number, are: Higher Ground Education Inc. (7265); Guidepost A LLC (8540); Prepared Montessorian LLC (6181); Terra Firma Services LLC (6999); Guidepost Birmingham LLC (2397); Guidepost Bradley Hills LLC (2058); Guidepost Branchburg LLC (0494); Guidepost Carmel LLC (4060); Guidepost FIC B LLC (8609); Guidepost FIC C LLC (1518); Guidepost Goodyear LLC (1363); Guidepost Las Colinas LLC (9767); Guidepost Leawood LLC (3453); Guidepost Muirfield Village LLC (1889); Guidepost Richardson LLC (7111); Guidepost South Riding LLC (2403); Guidepost St Robert LLC (5136); Guidepost The Woodlands LLC (6101); Guidepost Walled Lake LLC (9118); HGE FIC D LLC (6499); HGE FIC E LLC (0056); HGE FIC F LLC (8861); HGE FIC G LLC (5500); HGE FIC H LLC (8817); HGE FIC I LLC (1138); HGE FIC K LLC (8558); HGE FIC L LLC (2052); HGE FIC M LLC (8912); HGE FIC N LLC (6774); HGE FIC O LLC (4678); HGE FIC P LLC (1477); HGE FIC Q LLC (3122); HGE FIC R LLC (9661); LePort Emeryville LLC (7324); AltSchool II LLC (0403). The Debtors' mailing address is 1321 Upland Dr. PMB 20442, Houston, Texas 77043.



the hearing. If you do not have electronic filing privileges, you must file a written objection that is actually received by the clerk and filed on the docket at least two (2) business days before the start of the hearing. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

Movants Duc Viet Nguyen, Thuy Thi Thu Nguyen, and Dixit Kishorkumar Vora (together, the “*FIC-I Investor Claimants*” or “*Movants*”), each a Class B Member of HGE FIC I LLC (“*FIC-I*” or the “*NCE*”), respectfully move the Court for entry of an order under Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”) authorizing examinations of and production of documents by EB5AN, LLC, f/k/a EB5 Affiliate Network, LLC (“*EB5AN*,” and “*Examinee*”). In support, Movants state as follows:

Introduction

1. These Chapter 11 Cases involve an EB-5 investor-funded venture structure in which HGE served as Manager of the NCE, Guidepost served as Class A Member of the NCE, and non-debtor EB5AN served as Class C Member of the NCE and coordinated EB-5 administration and reporting for the NCE.²

2. Movants invested \$500,000 each as Class B Members to obtain immigration benefits under the EB-5 Program. The relief sought by this Motion is limited to discovery regarding EB-5 compliance, capital deployment, sustainment of investment, job-creation, intercompany arrangements, and related administration necessary to protect Movants’ interests and to facilitate administration of these estates.

² Movants have submitted a separate Motion for a Rule 2004 Examination of HIGHER GROUND EDUCATION, INC., GUIDEPOST A LLC, and HGE FIC I LLC.

3. Movants have already sought categories of EB-5/I-829 supporting evidence by letter from the Debtors and EB5AN, LLC but did not receive adequate information. Movants have also filed a separate motion for a Rule 2004 examination of certain of the Debtors, which is pending before the Court. While Movants have received certain raw information from the Debtors, EB5AN is in possession of certain information and documentation of the Debtors related to HGE FIC I LLC.

4. Good cause exists for Rule 2004 relief targeted to the topics and document categories set forth in **Exhibits A and B**.

Jurisdiction

5. This Court has jurisdiction over the instant Chapter 11 cases and this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This Motion is a core proceeding as defined in 28 U.S.C. §157(b)(2). The statutory predicates for the relief requested are Bankruptcy Rule 2004 and Rule 9016 (incorporating Fed. R. Civ. P. 45).

EB-5 Program

6. Section 203(b)(5) of the Immigration and Nationality Act (“*INA*”), 8 U.S.C. § 1153(b)(5), makes visas available to qualified immigrant investors who will contribute to the economic growth of the United States by investing in U.S. businesses and creating jobs for U.S. workers. Through this program, a qualified immigrant investor may obtain lawful permanent residence. The purpose of this provision is to benefit the U.S. economy by providing an incentive for foreign capital investment that creates or preserves U.S. jobs

7. 8 CFR 216.6(a)(4)(ii)-(iv) provides an I-829 petition to remove the conditional basis of the permanent resident status of an investor accorded conditional permanent residence pursuant to section 216A of the Act, 8 U.S.C. § 1186b, must be filed by the investor with the

appropriate fee within the 90-day period preceding the second anniversary of the date on which the investor acquired conditional permanent residence, showing that the investment was sustained and the jobs created.³

8. However, U.S. Citizenship and Immigration Services (“**USCIS**”) policy allows USCIS to compress the I-829 standard about actual performance into its adjudication at any stage of the immigration process when the events described in the I-526 business plan already have or should have occurred. Accordingly, receipt of these records by Movants is a matter of urgency.⁴

Prepetition Background

9. Movants are creditors and parties-in-interest who contributed a total amount of \$1,500,000 to the NCE pursuant to subscription and operating agreement.

10. Movants filed contingent, unliquidated proofs of claim, asserting direct claims arising from HGE’s and Guidepost’s obligations under operating agreements for the NCE specifically tailored to EB-5 compliance, including maintenance of records sufficient to support investors’ immigration filings, such as evidence of sustainment of investment, proper use and expenditures of EB-5 funds, and requisite job creation. The record-keeping functions of HGE, Guidepost, and EB5AN are and were essential to Movants’ primary goal in providing capital to the NCE—namely, to obtain visas to the United States under the EB-5 immigrant investor visa program of the Immigration and Nationality Act and related regulations (the “**EB-5 Program**”).

³ In accordance with regulations, Immigrant Investors, as a prerequisite, must file Form I-526, identifying the NCE, the evidence of the Immigrant Investor’s source of investment funds and the plan for the investment entity to place and spend capital and create 10 new jobs for U.S. workers per each Immigrant Investor.

⁴ See USCIS’ “EB-5 Questions and Answers” available under the topic of “Form I-526/I-526E at <https://www.uscis.gov/working-in-the-united-states/permanent-workers/employment-based-immigration-fifth-preference-eb-5/eb-5-questions-and-answers> and What are some of the circumstances, when adjudicating Form I-526, when USCIS might seek evidence of jobs created by investors who filed their petitions before the EB-5 Reform and Integrity Act (RIA) of 2022 (pre-RIA investors)?

11. As set forth in Movants' proof-of-claim attachments, the operating agreements required HGE to operate the NCE in a manner designed to comply with EB-5 Program requirements, including creating no fewer than 10 full-time jobs per Class B Member (or a total of 200 full-time jobs), and maintaining records necessary for Class B Members' visa petitions. Guidepost served as Class A Member; EB5AN served as a Class C Member and coordinated EB-5 administration and communications.

12. The NCE owned and operated Montessori schools until, on information and belief, Learn Capital Special Opportunities Fund XXXVII LLC ("***Learn Capital***") foreclosed upon and acquired ownership of the school assets on or about April 23, 2025 (the "***Prepetition Foreclosure Date***").

13. On information and belief, material project events (including capital deployment and job creation outcomes) occurred prior to the Prepetition Foreclosure Date.

14. Learn Capital's foreclosure, the commencement of these Chapter 11 Cases, and the widely reported business stress of the NCE have created urgency for collecting, organizing, and authenticating evidence of capital flow and job creation to protect and document Movants' immigration interests.

Bankruptcy Background

15. On June 17, 2025 and June 18, 2025 (the "***Petition Date***"), HGE and certain of its affiliates each commenced a case by filing a bankruptcy petition for relief in this Court under Chapter 11 of the Bankruptcy Code, and each case is jointly administered under Case No. 25-80121.

16. On July 16, 2025, Movants' counsel sent a detailed letter to the NCE and EB5AN, requesting voluntary production of I-829 evidentiary materials. Movants were initially assured

additional records would be voluntarily provided in response but ultimately did not receive all of the requested records.

17. Prior to filing this Motion, Movants' counsel contacted the Debtors' counsel to discuss the proposed examinations discussed herein. Movants' counsel is filing a separate certificate summarizing the discussion with Debtors' counsel as per L.B.R. 2004-1(a).

18. Movants are resorting to this Motion to obtain the records to which they are legally entitled—records which are within the scope of Rule 2004—and an order from the Court authorizing Movants' counsel to proceed with examinations of the Examinees.

Relief Requested and Basis for Relief

19. Movants request entry of an Order (a) requiring the Examinees to produce the documents, materials, tangible things, and electronically stored information (all of which is hereafter referred to as the “**Documents**”) identified on Exhibit A hereto within 14 days or such other date as the Court determines to be reasonable and appropriate; and (b) after such productions occur, authorizing Movants' counsel to examine the Examinees with respect to the subject matters set forth on Exhibit B hereto at a date, time, and location as may be mutually agreed or scheduled by the Court.

20. Rule 2004 authorizes the examination of “any entity.” Moreover, the information Movants seek is appropriate and within the scope and purposes of Bankruptcy Rule 2004, which provides, in relevant part, as follows:

The examination of an entity under this rule or of the debtor under §343, may relate only to (A) the debtor's acts, conduct, or property; (B) the debtor's liabilities and financial condition; (C) any matter which may affect the administration of the debtor's estate; (D) the debtor's right to a discharge.

* * *

[I]n a chapter 11 case ... the examination may also relate to: (A) the operation of any business, and the desirability of its continuance ...

and (C) any other mater relevant to the case or the formulation of the plan.

21. The requested discovery will inform estate administration, creditors' rights, and plan-related considerations, generally. More specifically, the requested discovery will address certain core administrative matters: (i) tracing EB-5 capital flows into and through the NCE and related entities; (ii) substantiating job-creation and employee eligibility; (iii) understanding intercompany/shared-services allocations; (iv) identifying and preserving NCE assets, records, and causes of action; and (v) ensuring proper maintenance and organization of books and records for these Chapter 11 Cases.

22. Additionally, the subject matters of Exhibit A and Exhibit B hereto are tailored to the EB-5-specific obligations memorialized in the NCE operating agreements and to curated evidence necessary to document historic facts already fixed in time.

23. Movants attempted to obtain the information informally. Given the limited and disorganized nature of the disclosures to date, and the time-sensitive immigration consequences for Movants, good cause exists to grant relief to Movants. The scope of the requests is proportional and appropriately targeted.

WHEREFORE, Movants request the following relief:

A. For the Court to consider and grant this Motion on an ex parte basis, without a hearing;

B. For the Court to issue an Order (i) requiring each Examinee to produce the Documents described on Exhibit A hereto within 14 days or such other deadline as the Court determines, (ii) requiring each Examinee to submit to an examination upon reasonable notice by Movant's counsel at such date, time, and location as may be mutually agreed or determined by the

Court, and (iii) requiring each Examinee to designate one or more representatives to testify at its examination with respect to the subject matters set forth on Exhibit B hereto; and

For such other and further relief the Court deems just and appropriate.

Dated: October 28, 2025.

Respectfully submitted,

By: /s/ Daniel J. Ferretti

Daniel J. Ferretti

State Bar No. 24096066

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*Attorney for Creditors, Duc Viet Nguyen,
Thuy Thi Thu Nguyen, and Dixit
Kishorkumar Vora*

CERTIFICATE OF CONFERENCE

The undersigned certifies pursuant to Local Rule 2004-1 that the undersigned conferred or attempted to confer with Daniel Lundy, counsel for EB5AN, LLC, and with Tim Mohan, counsel for the Debtors, via email on October 22, 2025, October 24, 2025, and October 25, 2025, and via telephone on October 25, 2025, with respect to the date and time of the examination requested in this Motion. At this time, the parties have not reached a resolution regarding the relief requested in the Motion.

/s/ Daniel J. Ferretti

Daniel J. Ferretti

CERTIFICATE OF SERVICE

The undersigned certifies that on October 28, 2025, a true and correct copy of the foregoing document was served electronically on all parties registered to receive electronic notice of filings in this case via this Court's ECF notification system, including but not limited to counsel for the Debtor and the U.S. Trustee, and on the parties below via First-Class, United States mail, postage prepaid:

Debtor: Higher Ground Education, Inc., <i>et al.</i> 1321 Upland Dr. PMB 20442 Houston, Texas 77043	Examinee: EB5AN, LLC REGISTERED AGENTS INC. 7901 4TH STREET NORTH SUITE 300 ST PETERSBURG, FL 33702
	EB5AN, LLC 5500 MILITARY TRAIL SUITE 22-260 JUPITER, FL 33458
	EB5AN, LLC c/o Daniel Lundy Chiesa Shahinian & Giantomasi PC 11 Times Square, 34 th Floor New York, NY 10036
	EB5AN, LLC c/o Christopher M. Candon Sheehan Phinney 1000 Elm Street, 17th Floor Manchester, NH 03101

/s/ Daniel J. Ferretti

Daniel J. Ferretti

EXHIBIT A
(Document Requests)

Definitions and Instructions

“Chapter 11 Case” means the jointly administered cases of HGE and certain of its affiliates in the United States Bankruptcy Court for the Northern District of Texas, designated as Case No. 25-80121.

“Communication” means each and every transmission of information by written, oral, pictorial, or other perceptible means, including, but not limited to, correspondence, email, telegraph, cables, telephone conversations, and personal conversations.

“Document” means each and every document, material, and tangible thing, including electronically stored information, within the scope of Fed. R. Civ. P. 34.

“Debtors” means FIC-I, Guidepost, and HGE, individually and collectively as the context permits or requires.

“EB5AN” or “Examinee” means EB5AN, LLC, f/k/a EB5 Affiliate Network, LLC.

“FIC-I” or “NCE” means HGE FIC I LLC, a debtor in the Chapter 11 Case.

“Guidepost” means Guidepost A LLC, a debtor in the Chapter 11 Case.

“HGE” means Higher Ground Education, Inc., a debtor in the Chapter 11 Case.

If any responsive Document is withheld under a claim of privilege or other protection from disclosure in discovery, Examinee should provide a privilege log with its production to Movants. Examinee’s privilege log should identify each responsive Document that has been withheld (a) by date and type (e.g., letter, memorandum, etc.), (b) author, (c) addressee and other recipient, (d) a reasonably detailed description of the Document’s subject matter, (e) the present custodian(s), and (f) the basis for the claim of privilege or other protection.

Requests

1. Each and every Communication and other Document in the Examinee’s possession, custody, or control related to resolutions, minutes, actions taken at meetings, and actions taken in lieu of meetings by or on behalf of the NCE;

2. Each and every Communication and other Document in the Examinee’s possession, custody, or control related to any agreements, transactions, or negotiations between HGE or Guidepost and any other party, including without limitation EB5AN, with respect to the NCE, or either of them, including any deeds, entity documents or resolutions, leases, options to purchase,

sale or other contracts, broker agreements, listing agreements, loan documents, promissory notes, account statements, statements of amounts due, or invoices, including without limitation unexecuted drafts of any of the foregoing.

3. Each and every Communication and other Document in the Examinee's possession, custody, or control related to any escrow agreements, escrow bank statements, and release instructions reflecting investor capital flows; documents tracing investor funds into NCE operating accounts; general ledgers and bank statements for the NCE; and reconciliations tying capital inflows to project expenditures;

4. Each and every Communication and other Document in the Examinee's possession, custody, or control related to payroll registers, W-2s/1099s, Forms I-9 and supporting identity/work-authorization documents (redacted where appropriate), time/attendance records, and HR position descriptions for all individuals counted toward job creation; evidence showing which employees filled which positions and when; and documentation of the "high-water mark" of qualifying employment prior to April 23, 2025;

5. Each and every Communication and other Document in the Examinee's possession, custody, or control evidencing licenses, location leases, vendor contracts, purchase orders, invoices, receipts, and proof of payment for expenditures by or for the NCE;

6. Each and every Communication and other Document in the Examinee's possession, custody, or control evidencing correspondence with the U.S. Citizenship and Immigration Service or the U.S. Department of State regarding NCE-related EB-5 petitions (I-526/I-526E; I-829), including RFEs, NOIRs, consular inquiries, submissions, and supporting evidence; drafts and final versions; Communications among the Debtors and EB5AN concerning such submissions;

7. Communications and other Documents reasonably sufficient to establish the dates, dollar amounts, bank names, account details, and sources of each transfer of funds traceable to a FIC-I Class B Member's investment of \$500,000.00 into a deposit account for the benefit and use of FIC-I, whether or not FIC-I is or was an accountholder;

8. Communications and other Documents reasonably sufficient to establish when and how the proceeds from the FIC-I Class B Member investments were spent by or on behalf of FIC-I;

9. Communications and other Documents reasonably sufficient to identify each person employed by FIC-I from its inception and his or her status as a U.S. citizen or permanent resident including, without limitation: the full name, last known address, last known phone number, and last known email address for each such employee; the dates of each such employee's employment; the job title(s) of each such employee; and each W-2 and W-3 issued to such employee;

10. A complete copy set of each Document that the Debtors have provided to EB5AN to date with respect to FIC-I;

11. Each business license obtained by FIC-I at the local, county, state, and federal level, as applicable;
12. The last 12 utility provider bills for utilities incurred by or on behalf of FIC-I;
13. Each lease, sublease, and amendment (as applicable) for real property or personal property utilized or intended to be utilized for one or more of FIC-I's schools or operations;
14. Photographs, diagrams, drawings, brochures, and marketing materials that depict any schools operated by FIC-I;
15. State and local sales tax returns filed by or on behalf of FIC-I, including the forms, attachments, exhibits, and any other Documents submitted in support of such returns;
16. IRS Form 941s and state quarterly wage reports filed by or on behalf of the FIC-I, including the forms, attachments, exhibits, and any other Documents submitted in support of such returns;
17. State, local, and federal income tax returns filed by or on behalf of FIC-I, including the forms, attachments, exhibits, and any other Documents submitted in support of such returns;
18. Audit reports and financial statements of FIC-I prepared or reviewed by any auditors or accounting firms;
19. Documents provided to any auditors or examiners in connection with any audit, examination, or inspection of FIC-I;
20. Each W-2, W-3, and 1099 issued to an employee or contractor of FIC-I, including proof of each such person's proof of U.S. citizenship or permanent residence.

EXHIBIT B
(Examination Topics)

Definitions and Instructions

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“Document” means each and every document, material, and tangible thing, including electronically stored information, within the scope of Fed. R. Civ. P. 34.

“Debtors” means FIC-I, Guidepost, and HGE, individually and collectively as the context permits or requires.

“EB5AN” or “Examinee” means EB5AN, LLC, f/k/a EB5 Affiliate Network, LLC.

“FIC-I” or “NCE” means HGE FIC I LLC, a debtor in the Chapter 11 Case.

“Guidepost” means Guidepost A LLC, a debtor in the Chapter 11 Case.

“HGE” means Higher Ground Education, Inc., a debtor in the Chapter 11 Case.

“Movants” means Duc Viet Nguyen, Thuy Thi Thu Nguyen, and Dixit Kishorkumar Vora.

1. The processes and procedures employed by the Examinee to search for, identify, collect, and produce Communications and other Documents to Movants in response to a court order, subpoena, discovery request, or voluntary production in lieu of the foregoing, in the Chapter 11 Case;

2. Authentication of the Communications and other Documents produced to Movants in connection with a court order, subpoena, discovery request, or voluntary production in lieu of the foregoing, in the Chapter 11 Case;

3. The identity and role of each custodian of the books and records of the Examinees;

4. The locations, resources, and details of the record-keeping employed by or on behalf of Examinee;

5. The corporate structure, officers, management-level employees, and persons acting in an agency capacity for the NCE and EB5AN;

6. The EB-5 program obligations applicable to the NCE, including the respective duties and responsibilities of HGE (as Manager), Guidepost (as Class A Member), and EB5AN (as Class C Member);

7. Capital raising, escrow arrangements, and capital flows including, without limitation: investor capital origination, escrow deposits and releases, transfers to NCE operating accounts, use of proceeds, and accounting controls; reconciliations tying investor funds to project expenditures; any variances or diversions;

8. Job creation methodologies, staffing plans, and outcomes including, without limitation: calculation approaches; hiring, retention, and separation; which employees filled which positions and when; eligibility of employees as “qualifying” under EB 5; identification of the “high water mark” of qualifying employment prior to April 23, 2025;

9. Payroll and HR systems, employee identity, work authorization, payroll records, and related compliance, and explanations for any use of third party or affiliate payrolls and shared services arrangements;

10. Intercompany/shared-services agreements, allocations, reimbursements, and any cost-sharing mechanisms among HGE, the NCE, and affiliates including, without limitation, invoices, approvals, and accounting treatment;

11. Licenses, leases, contracts, vendor relationships, construction/fit-out, equipment purchases, and other expenditures funded by the NCE, including documentation and authentication of such expenditures;

12. State, local, and federal tax filings prepared by or for the NCE, including investor K-1s, the timing, content, and availability of such filings, and the accountants and preparers involved in preparation or review of such filings;

13. Audited financial statements for the NCE, the timing, content, and availability of such statements, and the accountants and preparers involved in preparation or review of such statements;

14. Communications with the U.S. Citizenship and Immigration Service and the U.S. Department of State relating to the NCE and investors, including RFEs, NOIRs, consular inquiries, responses, and supporting submissions; involvement by EB5AN and HGE in preparing such submissions;

15. Effects of the April 23, 2025 Learn Capital Special Opportunities Fund XXXVII LLC foreclosure or related transactions on NCE operations, staffing, records, and ability to provide I-829 evidence;

16. NCE-level bank accounts, ledgers, and use of investor capital, tax return preparation, and records supporting I-829 filings; and

17. Board/manager minutes, resolutions, and other Communications between and among EB5AN, HGE, and Guidepost regarding EB-5 compliance.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	Chapter 11
	§	
HIGHER GROUND EDUCATION, INC., et al., ¹	§	Case No. 25-80121-11 (MVL)
	§	
Debtors.	§	(Jointly Administered)

**ORDER GRANTING MOTION OF DUC VIET NGUYEN, THUY THI THU NGUYEN,
AND DIXIT KISHORKUMAR VORA FOR RULE 2004 EXAMINATION OF
EB5AN, LLC, F/K/A EB5 AFFILIATE NETWORK, LLC**

THIS MATTER comes before the Court upon the Amended Motion for Rule 2004
Examination filed on October 28, 2025, by Duc Viet Nguyen, Thuy Thi Thu Nguyen, and Dixit

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal identification number, are: Higher Ground Education Inc. (7265); Guidepost A LLC (8540); Prepared Montessorian LLC (6181); Terra Firma Services LLC (6999); Guidepost Birmingham LLC (2397); Guidepost Bradley Hills LLC (2058); Guidepost Branchburg LLC (0494); Guidepost Carmel LLC (4060); Guidepost FIC B LLC (8609); Guidepost FIC C LLC (1518); Guidepost Goodyear LLC (1363); Guidepost Las Colinas LLC (9767); Guidepost Leawood LLC (3453); Guidepost Muirfield Village LLC (1889); Guidepost Richardson LLC (7111); Guidepost South Riding LLC (2403); Guidepost St Robert LLC (5136); Guidepost The Woodlands LLC (6101); Guidepost Walled Lake LLC (9118); HGE FIC D LLC (6499); HGE FIC E LLC (0056); HGE FIC F LLC (8861); HGE FIC G LLC (5500); HGE FIC H LLC (8817); HGE FIC I LLC (1138); HGE FIC K LLC (8558); HGE FIC L LLC (2052); HGE FIC M LLC (8912); HGE FIC N LLC (6774); HGE FIC O LLC (4678); HGE FIC P LLC (1477); HGE FIC Q LLC (3122); HGE FIC R LLC (9661); LePort Emeryville LLC (7324); AltSchool II LLC (0403). The Debtors' mailing address is 1321 Upland Dr. PMB 20442, Houston, Texas 77043.

Kishorkumar Vora (the “**Movants**”) seeking entry of an order authorizing oral examinations of and production of documents by EB5AN, LLC, (“**EB5AN**” or the “**Examinee**”). This Court finds that the motion is proper, consistent with Bankruptcy Rule 2004, and should be granted.

THEREFORE IT IS SO

ORDERED that the Examinee

- (i) Produce the documents and ESI described with particularity in Exhibit A to the Motion; and
- (ii) Appoint of one or more knowledgeable corporate representative(s) to appear for an oral examination under Rule 2004 of the Bankruptcy Rules, with examination topics as set forth in Exhibit B to the Motion. It is further

ORDERED that the examination may be rescheduled or adjourned from time to time and place to place by agreement of the parties, by announcement at the examination, or as set forth in a notice filed with the Court and served on the deponent and their counsel. It is further

ORDERED that if attendance and, if applicable, production of designated documents in connection with said examination, cannot be obtained voluntarily, the Movant may compel such attendance and production of documents as stated in Fed. R. Bankr. P. 2004(c) in the manner provided in Fed. R. Bankr. P. 9016, which incorporates the procedure for the issuance of a subpoena as set forth in Federal Rule of Civil Procedure 45. It is further

ORDERED that the Debtors identified in the Motion shall timely respond to any document requests made by the Movants in accordance with Fed. R. Bankr. P. 2004(c). The Debtors identified in the Motion may assert written objections in good faith to the requests as if such requests had been served pursuant to Fed. R. Bankr. P. 7034 and shall produce to the Movant all responsive documents that are not subject to a valid timely asserted objection.

###END OF ORDER###

Order prepared by:

/s/ Daniel J. Ferretti

Daniel J. Ferretti

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Attorney for Creditors, Duc Viet Nguyen,

Thuy Thi Thu Nguyen, and Dixit Kishorkumar Vora