

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

CIVIL ACTION NO. 8:20-cv-325-T-35AEP

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**BRIAN DAVISON, BARRY M. RYBICKI,
EQUIALT, LLC, EQUIALT FUND, LLC,
EQUIALT FUND II, LLC, EQUIALT FUND III, LLC,
EA SIP, LLC,**

Defendants, and

UNDER SEAL

128 E. DAVIS BLVD, LLC, et al.,

Relief Defendants.

**SECURITIES AND EXCHANGE COMMISSION'S MOTION TO LIFT
SEAL AND TO PLACE ALL PREVIOUSLY FILED PLEADINGS, MOTIONS
AND ORDERS ON THE PUBLIC DOCKET**

Plaintiff Securities and Exchange Commission ("Commission") respectfully requests an Order lifting the previously entered Order sealing this case, and for the Court to instruct the Clerk of Court to place the Sealed Order Granting the Plaintiff's Emergency *Ex Parte* Motion and Memorandum of Law for Temporary Restraining Order, Asset Freeze and Other Injunctive Relief Sought ("Temporary Restraining Order"), the Sealed Order Granting Plaintiff Securities and Exchange Commission's Emergency *Ex Parte* Motion for Appointment of Receiver ("Receiver Order"), the Sealed Complaint for Injunctive and

Other Relief and Demand for Jury Trial (“Complaint”), and all other pleadings, exhibits, and orders that have been filed or entered in this case on the publicly accessible docket.

On February 11, 2020, at the Commission’s request, the Court placed this matter under seal until the earlier of: (1) three business days after the date and time the Court issues an asset freeze order in this matter; or (2) the day the Commission notifies the Court and Clerk of Court that the Commission has effectuated the asset freeze and the seal is no longer necessary. On February 14, 2020, this Court entered the Temporary Restraining Order, and entered the Receiver Order. Since these Orders have been entered, the Commission has served the Temporary Restraining Order on a number of financial institutions to effectuate the asset freeze.

Accordingly, the Commission is notifying the Court and the Clerk of Court that the Commission has effectuated the asset freeze and sealing this case is no longer necessary. Therefore, we request that the Court lift the seal and instruct the Clerk of the Court to place the Temporary Restraining Order and Receiver Order, the Complaint, and all other pleadings, exhibits, and orders that have been filed or entered in this case on the public docket. A proposed Order is attached.

Respectfully submitted,

February 14, 2020

By: 
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EQUIALT FUND III, LLC,
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Defendants, and

**128 E. DAVIS BLVD, LLC,
et al.,**

Relief Defendants.

**ORDER GRANTING SECURITIES AND EXCHANGE COMMISSION'S
MOTION TO LIFT SEAL AND FOR THE CLERK OF COURT TO PLACE ALL
PREVIOUSLY FILED PLEADINGS, MOTIONS, AND ORDERS ON THE
PUBLIC DOCKET**

THIS MATTER is before the Court on Plaintiff's Motion to Lift the previously entered Order sealing this case, and for the Clerk of Court to place the Sealed Order Granting the Plaintiff's Emergency *Ex Parte* Motion and Memorandum of Law for Temporary Restraining Order, Asset Freeze and Other Injunctive Relief Sought ("Temporary Restraining Order"), the Sealed Order Granting Plaintiff Securities and Exchange Commission's Emergency *Ex Parte* Motion for Appointment of Receiver

(“Receiver Order”), the Sealed Complaint for Injunctive and Other Relief and Demand for Jury Trial (“Complaint”), and all other pleadings, motions, and orders that have been filed or entered in this case on the publicly accessible docket.

The Plaintiff having shown good cause that the Court should lift the seal in this matter. Accordingly, it is:

ORDERED AND ADJUDGED that the Plaintiff’s Motion is **GRANTED**. The seal in this matter is lifted and the Clerk of the Court shall place the Temporary Restraining Order, the Receiver Order, the Complaint, and all other pleadings, motions, and orders that have been filed or entered in this case on the publicly accessible docket.

DONE AND ORDERED this ____ day of February 2020, at Tampa, Florida.

MARY SCRIVEN
UNITED STATES DISTRICT JUDGE

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