

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
CASE 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

128 E. DAVIS BLVD, LLC,
310 78TH AVE, LLC,
551 3D AVE S, LLC,
604 WEST AZEELE, LLC,
2101 W. CYPRESS, LLC,
2112 W. KENNEDY BLVD, LLC,
5123 E. BROADWAY AVE, LLC,
BLUE WATERS TI, LLC,
BNAZ, LLC,
BR SUPPORT SERVICES, LLC,
BUNGALOWS TI, LLC,
CAPRI HAVEN, LLC,
EA NY, LLC,
EQUIALT 519 3RD AVE S., LLC,
MCDONALD REVOCABLE LIVING TRUST,
SILVER SANDS TI, LLC,
TB OLDEST HOUSE EST. 1842, LLC,

Relief Defendants.

**APPEARANCE OF NON-RESIDENT ATTORNEY DAVID M. RODY AND
DESIGNATION OF FLORIDA COUNSEL AND CONSENT-TO-ACT
PURSUANT TO LOCAL RULE 2.02**

1. I, David M. Rody, hereby appear in this case under Local Rule 2.02 on behalf of
Defendant Barry M. Rybicki.

2. I am an attorney with the law firm of Sidley Austin LLP, 787 Seventh Avenue, New York, NY 10019, Telephone: 212-839-5951, Facsimile: 212-839-5300. Defendant Barry M. Rybicki has retained me and my firm to represent him in this case.

3. I do not reside in the State of Florida, and I am not admitted to the Florida Bar or the bar of the Middle District of Florida. I am a member in good standing of the bar of New York, District of Columbia, the United States District Court for the Eastern District of New York, the United States District Court for the Southern District of New York, and the United States Court of Appeals for the Second Circuit.

4. Pursuant to Local Rule 2.02, I designate Mark A. Levy (Florida Bar No. 121320), who is a member of the Florida Bar and the bar of this Court, as the attorney upon whom all notices and papers may be served and who will be responsible for the progress of the case, including the trial, in default of the non-resident attorney. Mr. Levy's office address and contact information are as follows:

Mark A. Levy
Brinkley Morgan
100 SE Third Avenue, 23rd Floor
Fort Lauderdale, FL 33394
Telephone: 954-522-2200
Facsimile: 954-522-9123
Email: mark.levy@brinkleymorgan.com

Dated: February 21, 2020

SIDLEY AUSTIN LLP
Attorneys for Defendant Barry M. Rybicki
787 Seventh Avenue
New York, NY 10019
Telephone: 212-839-5951
Facsimile: 212-839-5300
Email: drody@sidley.com

By: /s/ David M. Rody
DAVID M. RODY

CONSENT OF DESIGNEE

I hereby consent to the foregoing designation.

Dated: February 21, 2020

BRINKLEY MORGAN
Attorneys for Defendant Barry M. Rybicki
100 SE Third Avenue, 23rd Floor
Fort Lauderdale, Florida 33394
Telephone: 954-522-2200
Facsimile: 954-522-9123
Email: mark.levy@brinkleymorgan.com

By: /s/ Mark A. Levy
MARK A. LEVY
Florida Bar No. 121320

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2020, I electronically filed the foregoing Appearance with the Clerk of the Court using CM/ECF, which will send a notice of such filing to all counsel of record as indicated on the attached Service List.

BRINKLEY MORGAN
Attorneys for Defendant Barry M. Rybicki
100 SE Third Avenue, 23rd Floor
Fort Lauderdale, Florida 33394
Telephone: 954-522-2200
Facsimile: 954-522-9123
Email: mark.levy@brinkleymorgan.com

By: /s/ Mark A. Levy
MARK A. LEVY
Florida Bar No. 121320

SERVICE LIST

SERVED VIA CM/ECF ON FEBRUARY 21, 2020:

Alise M. Johnson
Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, FL 33131
Email: johnsonali@sec.gov
Attorney for Plaintiff

Jared J. Perez
Wiand Guerra King P.A.
5505 W. Gray Street
Tampa, FL 33609
Email: jperez@wiandlaw.com
Attorney for Receiver Burton W. Wiand

Katherine C. Donlon
Wiand Guerra King P.A.
5505 W. Gray Street
Tampa, FL 33609
Email: kdonlon@wiandlaw.com
Attorney for Receiver Burton W. Wiand

Robert Stines
Freeborn & Peters LLP
201 N. Franklin Street, Suite 3550
Tampa, FL 33602
Email: rstines@freeborn.com
Attorney for Receiver Burton W. Wiand