

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No: 8:20-cv-325-T-35AEP

BRIAN DAVISON, BARRY M. RYBICKI,
EQUIALT LLC, EQUIALT FUND, LLC,
EQUIALT FUND II, LLC, EQUIALT
FUND III, LLC, EA SIP, LLC, 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, and
TB OLDEST HOUSE EST. 1842, LLC,

Defendants.


**RELATED CASE ORDER
AND TRACK TWO NOTICE**

It is hereby **ORDERED** that, no later than fourteen days from the date of this Order, counsel and any *pro se* party shall comply with Local Rule 1.04(d), and shall file and serve a certification as to whether the instant action should be designated as a similar or successive case pursuant to Local Rule 1.04(a) or (b). The parties shall utilize the attached form Notice of Pendency of Other Actions.

It is **FURTHER ORDERED** that, in accordance with Local Rule 3.05, this action is designated a **Track Two** case. All parties must comply with the requirements established in Local Rule 3.05 for Track Two cases. Counsel and any unrepresented party shall meet within sixty days after service of the complaint upon any defendant or the first appearance of any defendant, for the purpose of preparing and filing a Case Management Report. The parties shall utilize the Case Management Report form located at the Court's website **www.flmd.uscourts.gov** under 'About the Judges' select 'District Judges', 'Judge Mary S. Scriven', 'Forms'. Unless otherwise ordered by the Court, a party may not seek discovery from any source before the meeting. Fed. R. Civ. P. 26 (d); Local Rule 3.05(c)(2)(B). *Plaintiff is responsible for serving a copy of this notice and order with attachments upon each party no later than fourteen days after appearance of the party.*

Please note that Judge Scriven requires the Case Management Report to include a brief description of the specific nature and relative complexity of the case. See section II of the Case Management Report.

DONE AND ORDERED in Tampa, Florida, this 4th day of March, 2020.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Attachments:

Notice of Pendency of Other Actions [mandatory form]
Magistrate Judge Consent / Letter to Counsel
Magistrate Judge Consent Form / Entire Case
Magistrate Judge Consent / Specified Motions
Case Management Form: www.flmd.uscourts.gov [mandatory form]

Copies to: All Counsel of Record
All *Pro Se* Parties

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

Case No: 8:20-cv-325-T-35AEP

**BRIAN DAVISON, BARRY M. RYBICKI,
EQUIALT LLC, EQUIALT FUND, LLC,
EQUIALT FUND II, LLC, EQUIALT
FUND III, LLC, EA SIP, LLC, 128 E.
DAVIS BLVD, LLC, 310 78TH AVE, LLC,
551 3D AVE S, LLC, 604 WEST
AZELEE, 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, and
TB OLDEST HOUSE EST. 1842, LLC,**

Defendants.

NOTICE OF PENDENCY OF OTHER ACTIONS

In accordance with Local Rule 1.04(d), I certify that the instant action:

_____ IS related to pending or closed civil or criminal case(s) previously filed
in this Court, or any other Federal or State court, or administrative
agency as indicated below:

_____ IS NOT related to any pending or closed civil or criminal case filed with this Court, or any other Federal or State court, or administrative agency.

I further certify that I will serve a copy of this NOTICE OF PENDENCY OF OTHER ACTIONS upon each party no later than fourteen days after appearance of the party.

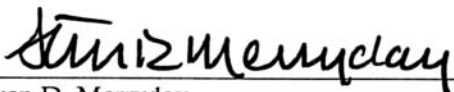
Dated:

Counsel of Record or *Pro Se* Party
[Address and Telephone]

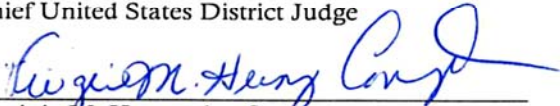
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

With the parties' consent, a district judge under 28 U.S.C. § 636(c) can refer any civil matter to a magistrate judge for any or all proceedings, including the resolution of any motion, a jury or non-jury trial, and entry of final judgment. Although the same law, rules, and procedure govern before both the district judge and the magistrate judge, reference to the magistrate judge often results in an earlier and more reliable trial date (a magistrate judge's trial calendar need not accommodate criminal trials, which are subject to the requirement of constitutional and statutory "speedy trial"). A final judgment entered by the magistrate judge is appealable directly to the United States Court of Appeals.

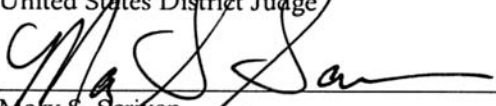
The parties can formalize consent to the magistrate judge on an AO 85 "Notice, Consent, and Reference of a Civil Action to a Magistrate Judge," a copy of which is attached. Consent requires the signature of each party's counsel and the signature of any unrepresented party. The district judges of the Middle District of Florida request that each party and each counsel carefully consider the benefits to the public, to the court, and to the parties of consent to proceed before the magistrate judge. Of course, consent is entirely voluntary, and — without any adverse substantive consequence — a party for any reason can withhold consent and continue the action before the district judge.



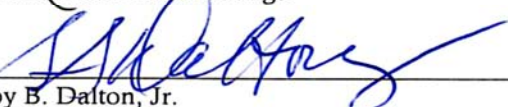
Steven D. Merryday
Chief United States District Judge



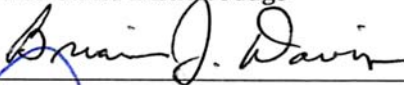
Virginia M. Hernandez Covington
United States District Judge



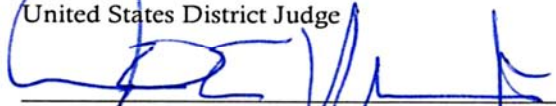
Mary S. Scriven
United States District Judge



Roy B. Dalton, Jr.
United States District Judge



Brian J. Davis
United States District Judge



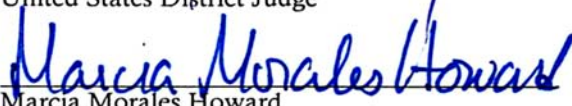
Carlos E. Mendoza
United States District Judge



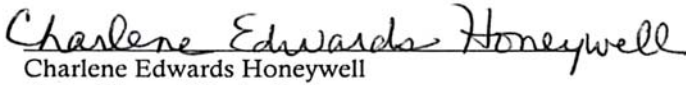
Thomas P. Barber
United States District Judge



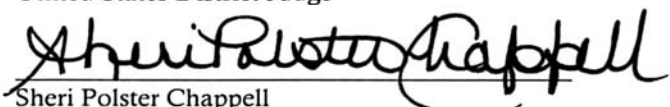
Timothy J. Corrigan
United States District Judge



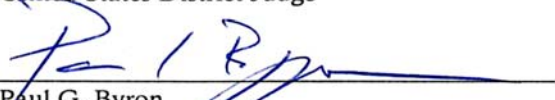
Marcia Morales Howard
United States District Judge



Charlene Edwards Honeywell
United States District Judge



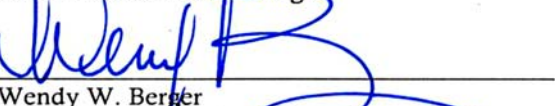
Sheri Polster Chappell
United States District Judge



Paul G. Byron
United States District Judge



William F. Jung
United States District Judge



Wendy W. Berger
United States District Judge

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No: 8:20-cv-325-T-35AEP

BRIAN DAVISON, BARRY M. RYBICKI,
EQUIALT LLC, EQUIALT FUND, LLC,
EQUIALT FUND II, LLC, EQUIALT FUND
III, LLC, EA SIP, LLC, 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, and TB
OLDEST HOUSE EST. 1842, LLC,

Defendants.

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case,

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

<i>Printed names of parties and attorneys</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

REFERENCE ORDER

IT IS **ORDERED** that this case be referred to a UNITED STATES MAGISTRATE JUDGE for all further proceedings and order the entry of a final judgment in accordance with 28 U.S.C. 636(c), Fed. R. Civ. P. 73.

DATE

MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

NOTE: RETURN THIS FORM TO THE CLERK OF COURT ONLY IF YOU ARE CONSENTING TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE. DO NOT RETURN THIS FORM TO A JUDGE.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

Case No: 8:20-cv-325-T-35AEP

BRIAN DAVISON, BARRY M. RYBICKI, EQUIALT LLC,
EQUIALT FUND, LLC, EQUIALT FUND II, LLC,
EQUIALT FUND III, LLC, EA SIP, LLC, 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, and TB OLDEST
HOUSE EST. 1842, LLC,

Defendants.

NOTICE, CONSENT, AND REFERENCE OF A DISPOSITIVE MOTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings and enter a final order dispositive of each motion. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have motions referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's consideration of a dispositive motion. The following parties consent to have a United States magistrate judge conduct any and all proceedings and enter a final order as to each motion identified below (*identify each motion by document number and title*).

MOTION(S)

Printed names of parties and attorneys

Signature of parties or attorneys

Date

REFERENCE ORDER

IT IS ORDERED: The motions are referred to the United States magistrate judge to conduct all proceedings and enter a final order on the motions identified above in accordance with 28 U.S.C. ' 636(c).

Date

MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

NOTE: RETURN THIS FORM TO THE CLERK OF COURT **ONLY IF** YOU ARE CONSENTING TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE. DO NOT RETURN THIS FORM TO A JUDGE.