

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

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.

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

Relief Defendants.

CASE NO. 8:20-cv-00325-MSS-AEP

**MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR  
DEFENDANT BRIAN DAVISON**

Shutts & Bowen LLP, Lonnie L. Simpson, Esq. and Stephen B. Gillman (“Shutts”), move for leave to withdraw as counsel of record for defendant Brian Davison (“Mr. Davison”) as follows:

1. Shutts appeared as Mr. Davison’s counsel on February 24, 2020 [DE 27].
2. Mr. Davison terminated Shutts’s engagement on March 2, 2020. Mr. Davison has consented to Shutts’s withdrawal.
3. Mr. Davison retained new counsel, Charles M. Harris, Esq. and Gerald Davis, Esq., Trenam, Kemker, Scharf, Barkin, Frye, O’Neill & Mullins, P.A., to appear as his counsel

of record in this action. Mr. Davison's new counsel so appeared on March 3, 2020 [DE 32-35].

4. Shutts notified attorneys for defendant Barry M. Rybicki; attorneys for the plaintiff; and attorneys for the court-appointed receiver of its intention to withdraw as Mr. Davison's counsel.

As Mr. Davison has new counsel of record, Shutts respectfully requests that it (including attorneys Lonnie L. Simpson and Stephen B. Gillman) be permitted to withdraw as counsel of record for and discharged of any further obligation to represent Mr. Davison.

**Local Rule 3.10(g) Certification**

Lonnie L. Simpson, Esq., conferred with counsel for the plaintiff and counsel for the court-appointed receiver in a good faith effort to resolve the issues raised by this motion. The plaintiff's and the receiver's counsel, respectively, stated that they do not oppose the relief that Shutts seeks in this motion.

/s/ Stephen L. Cohen  
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*Counsel for Defendant Barry M. Rybicki*

/s/ Lonnie L. Simpson  
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Telephone: (813) 229-8900  
*Former counsel for Defendant Brian Davison*

**CERTIFICATE OF SERVICE**

I certify that on March 4, 2020, I electronically filed the foregoing Motion to Withdraw as Counsel of Record for Defendant Brian Davison via CM/ECF which will send an electronic notice to the following:

<p>Alise Johnson, Esq., <a href="mailto:johnsonali@sec.gov">johnsonali@sec.gov</a> <b>SECURITIES AND EXCHANGE COMMISSION</b> 810 Brickell Avenue, Suite 1950 Miami, FL 33131 <i>Counsel for Plaintiff</i></p> <p>Stephen L. Cohen, Esq. <a href="mailto:scohen@sidley.com">scohen@sidley.com</a> <b>SIDLEY AUSTIN LLP</b> 1501 K. Street, N.W. Washington, DC 20005 <i>Counsel for Defendant Barry M. Rybicki</i></p> <p>Mark A. Levy, Esq. <a href="mailto:mark.levy@brinkleymorgan.com">mark.levy@brinkleymorgan.com</a> <b>BRINKLEY MORGAN</b> 100 SE Third Ave., 23d Floor Ft. Lauderdale, FL 33394 <i>Counsel for Defendant Barry M. Rybicki</i></p>	<p>Jared J. Perez, Esq. <a href="mailto:jperez@wiandlaw.com">jperez@wiandlaw.com</a> Katherine C. Donlon, Esq. <a href="mailto:kdonlon@wiandlaw.com">kdonlon@wiandlaw.com</a> <b>WIAND GUERRA KING, LP</b> 5505 W. Gray Street Tampa, FL 33609 <i>Counsel for Burton W. Wiand, Receiver</i></p> <p>Robert Stines, Esq. <b>FREEBORN &amp; PETERS LLP</b> 201 N. Franklin Street, Suite 3550 Tampa, FL 33602 <i>Counsel for Burton W. Wiand, Receiver</i></p>
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/s/ Lonnie L. Simpson  
ATTORNEY