

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.

**BRINKLEY MORGAN'S UNOPPOSED MOTION TO WITHDRAW AS
COUNSEL OF RECORD FOR DEFENDANT BARRY M. RYBICKI**

The law firm of Brinkley Morgan and attorney Mark A. Levy (“Brinkley Morgan”) move for leave to withdraw as counsel of record for Defendant Barry M. Rybicki (“Mr. Rybicki”), as follows:

1. Brinkley Morgan appeared as Mr. Rybicki’s counsel on February 21, 2020 [ECF No. 19].

2. Mr. Rybicki has terminated Brinkley Morgan’s engagement and consented to Brinkley Morgan’s withdrawal.

3. Mr. Rybicki retained new counsel, Adam S. Fels with Fridman Fels & Soto, PLLC, to appear as his counsel of record in this action. Mr. Rybicki’s new counsel appeared on April 1, 2020 [ECF No. 70].

4. Brinkley Morgan has not received any payments from or on behalf of Mr. Rybicki, including the funds unfrozen by the Court for payment of Mr. Rybicki’s legal fees.

5. Brinkley Morgan notified attorneys for Plaintiff, attorneys for Defendant Brian Davison, and attorneys for the court-appointed receiver of its intention to withdraw as Mr. Rybicki’s counsel.

WHEREFORE, as Mr. Rybicki has new counsel of record, Brinkley Morgan respectfully requests that it (including attorney Mark A. Levy) be permitted to withdraw as counsel of record and discharged of any further obligation to represent Mr. Rybicki.

LOCAL RULE 3.01(g) CERTIFICATE

Pursuant to Local Rule 3.01(g), counsel for Defendant Barry M. Rybicki has conferred with counsel for Plaintiff, counsel for Defendant Brian Davison, and counsel for the court-appointed receiver, who do not oppose the requested relief.

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2020, I electronically filed the foregoing Motion 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.

/s/ Mark A. Levy

MARK A. LEVY

Florida Bar No. 121320

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