

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
Case No. 8:20-cv-00325-T-35AEP**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**BRIAN DAVISON, BARRY M. RYBICKI,
EQUIALT LLC, EQUIALT FUND, LLC,
EQUIALT FUND II, EQUIALT FUND III,
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. CYPRESS, LLC, 2112
W. KENNEDY BLVD, LLC, BNAZ, LLC,
BR SUPPORT SERVICES, LLC, CAPRI
HAVEN, LLC, EANY, LLC, BUNGALOWS
TI, LLC, EQUIALT 519 3RD AVE S., LLC,
MCDONALD REVOCABLE LIVING TRUST,
5123 E. BROADWAY AVE, LLC, SILVER SANDS
TI, LLC, TB OLDEST HOUSE EST. 1842, LLC,**

Relief Defendants.

_____ /

**DEFENDANT BRIAN DAVISON’S AGREED MOTION FOR ENLARGEMENT OF
TIME TO SERVE RESPONSE TO
PLAINTIFF’S COMPLAINT**

Defendant Brian Davison (“Davison”), by and through his undersigned counsel, hereby files this Agreed Motion for Enlargement of Time to Serve his Response to Plaintiff’s

Complaint (ECF No. 1), and in support states:

1. The Complaint in this matter was filed on February 11, 2020.
2. Davison's counsel acknowledged and accepted service on March 11, 2020.
3. Davison's counsel require additional time to review and analyze the Complaint and prepare a response thereto, and had previously been granted to June 15, 2020 to serve a response to the Complaint.
4. Special circumstances warrant an additional extension of that date. Due to the COVID-19 emergency, discovery has been stayed and there have been restrictions on travel, which have impacted on counsel's ability to interview witnesses. Additionally, due to the Receivership imposed in this matter, Davison has not had access to the bulk of his own records.
5. Davison requests an additional enlargement of time through and including three weeks after the scheduled date of the preliminary injunction hearing in this matter, scheduled for July 16, 2020, or up to and including August 6, 2020, in which defendants can serve responses to Plaintiff's Complaint.
6. This Motion is brought in good faith and is not intended to unduly delay proceedings in the above-styled action.
7. Plaintiff has agreed to the enlargement of time with the understanding that such extension will not affect any other due dates including the case management report or discovery. Moreover, defendant Barry Rybicki has consented as well.
8. This Motion is accompanied by a proposed Agreed Order attached hereto as Exhibit "A."

WHEREFORE, Defendant, Brian Davison, respectfully requests that this Court grant his Motion and enter an order enlarging the time for defendants to serve responses to Plaintiff's Complaint until and including August 6, 2020.

LOCAL RULE 3.01(g) CERTIFICATE

Pursuant to Local Rule 3.01(g), counsel or Defendant Brian Davison has conferred with counsel for Plaintiff, Alise M. Johnson, and counsel for Barry Rybicki, both of which have agrees to the requested relief.

/s/ Gerald D. Davis

GERALD D. DAVIS, ESQ.
Florida Bar No. 764698
gdavis@trenam.com
bshepard@trenam.com
ohoepner@trenam.com
CHARLES M. HARRIS, JR., ESQ.
Florida Bar No. 967459
TRENAM, KEMKER, SCHARF,
BARKIN, FRYE, O'NEILL & MULLIS,
P.A.
200 Central Avenue, Suite 1600
St. Petersburg, FL 33701
Tel: (727) 896-7171
Attorneys for Defendant Brian Davison

/s/ Howard Fischer

HOWARD FISCHER, ESQ.
New York Bar No. 2644052
hfischer@mosessinger.com
MOSES & SINGER, LLP
405 Lexington Avenue
New York, NY 10174

Telephone: 212-554-7800
Attorneys for Defendant Brian Davison

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing has been filed via the Court's CM/ECF system, which will send an electronic copy of the foregoing and a notice of filing same to all counsel of record, on this 12th day of June, 2020.

/s/ Gerald D. Davis
Attorney

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EXHIBIT A

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Relief Defendants.

**AGREED ORDER ON DEFENDANT BRIAN DAVISON'S
AGREED MOTION FOR ENLARGEMENT
OF TIME TO SERVE RESPONSE TO PLAINTIFF'S COMPLAINT**

THIS MATTER came before the Court upon consideration of Defendant, Brian Davison's Agreed Motion for Enlargement of Time for Defendants to Serve Responses to Plaintiff's Complaint (the "Motion"), and the Court being advised of the agreement of the

parties, and being otherwise fully advised in the premises, it is hereby:

ORDERED and ADJUDGED that the Motion is GRANTED. Defendants shall file and serve responses to Plaintiff's Complaint on or before August 6, 2020.

DONE AND ORDERED in Tampa, Florida this ____ day of June, 2020.

The Honorable Mary S. Scriven
United States District Judge

Copies to:
Counsel of Record
Any Unrepresented Parties