

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

Case No: 8:20-cv-00325-T-35AEP

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. 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.

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**ORDER**

**THIS CAUSE** comes before the Court for consideration of Plaintiff, Securities And Exchange Commission's Motion for Extension of Time to File Its Response to [Defendant Rybicki's] Motion to Dismiss, (Dkt. 130); the Parties' Agreed Motion for Continuance of Show Cause Hearing, (Dkt. 131); and Defendant Brian Davison's Agreed Motion for Extension of Time to Respond to Complaint. (Dkt. 132) All motions are unopposed.

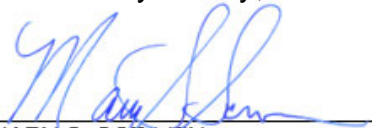
Accordingly, upon consideration of all relevant filings, case law, and being otherwise fully advised, the Court hereby **ORDERS** as follows:

1. Plaintiff's Motion for Extension of Time to File Its Response to Motion to Dismiss, (Dkt. 130), is **GRANTED**. Plaintiff shall have up to and including July 9, 2020 to respond to Defendant Rybicki's Motion, which may include the filing of an amended complaint.
2. Defendant Brian Davison's Agreed Motion for Extension of Time to Respond to Complaint, (Dkt. 132), is **GRANTED**.
  - a. Both Defendants shall have **thirty (30) days from the date Plaintiff files an amended complaint** to file an answer or otherwise respond to it.
  - b. In the event that Plaintiff does amend its complaint, Defendant Davison shall have **up to and including July 31, 2020** to file an answer or otherwise respond to the Amended Complaint.
3. The Parties' Agreed Motion for Continuance of Show Cause Hearing, (Dkt. 131), is **GRANTED**.
  - a. The **SHOW CAUSE HEARING** previously scheduled for **Thursday, July 16, 2020, at 1:30 p.m.**, is rescheduled for **Friday, July 31, 2020 at 10:00 AM** and will be conducted via Zoom video conference before the Honorable Mary S. Scriven. The Court has set aside **two (2) hours** for this hearing. Defendants shall be prepared to show cause, if any, why a Preliminary Injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure should not be granted against them, as requested by the Commission.
  - b. Pursuant to Federal Rule of Civil Procedure 65(b)(2), the Court finds good

cause to extend the temporary restraining order entered on February 14, 2020, (Dkt. 10), until the date of the rescheduled hearing. The Clerk will send the Parties an invitation to the Zoom hearing via email. If you have any questions, please contact courtroom deputy, Kristin Carreon, at [Kristin\\_Carreon@flmd.uscourts.gov](mailto:Kristin_Carreon@flmd.uscourts.gov).

- c. Although the hearing is taking place by video, all Parties should dress appropriately for this Court proceeding. Furthermore, the Parties are hereby reminded that under Local Rule 4.11(b) the taking of photographs, the operation of recording or transmission devices, and the broadcasting or televising of proceedings in any courtroom or hearing room of this Court, or the environs thereof, either while the Court is in session or at recesses between sessions when Court officials, lawyers, jurors, witnesses or other persons connected with judicial proceedings of any kind are present, are prohibited.

**DONE AND ORDERED** in Tampa, Florida this 7th day of July, 2020.

  
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MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

**Copies furnished to:**  
Counsel of Record  
Any Unrepresented Person