

**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.

ORDER

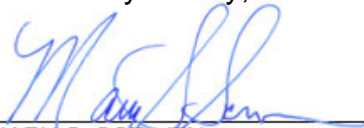
THIS CAUSE comes before the Court for consideration of Receiver's Motion to Approve the Private Sale of Real Property - 22706 Gage Loop #39 in Land O'Lakes, Florida. (Dkt. 137) Upon consideration of the applicable law, the Receiver's powers as set forth in the Temporary Restraining Order and Asset Freeze and Order Appointing the Receiver, (Dkts. 10, 11), and with the consent of the Securities and Exchange Commission and both individual Defendants, Brian Davison and Barry M. Rybicki, the Court finds the proposed sale is commercially reasonable, fair and equitable, and in the

best interests of the Receivership Estate. As explained in the Motion, the proposed sale complies with the requirements of 28 U.S.C. § 2001(b), which sets forth the procedures applicable to private sales of receivership real estate. Notably, the sale will generate a gross recovery of \$92,500.00 for the Receivership Estate. (Dkt. 137 at 4) This purchase price is well above the statutory minimum amount and exceeds the most recent appraisal, which values the property at \$90,000.00. (Dkt. 137-3) Additionally, the sale “will eliminate the Receiver’s need to pay for additional upkeep and carrying costs on the [p]roperty,” which purportedly total at least \$4,000.00 per year “including insurance, utilities, and repairs.” (Dkt. 137 at 7)

Accordingly, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. Receiver’s Motion to Approve the Private Sale of Real Property - 22706 Gage Loop #39 in Land O’Lakes, Florida, (Dkt. 137), is **GRANTED**.
2. Pursuant to the Purchase and Sale Agreement attached as Exhibit 1 to the Motion, (Dkt. 137-1), the sale of the real property located at 22706 Gage Loop #39 Land O’Lakes, Florida 34639, is **APPROVED**.
3. The Receiver is **DIRECTED** to transfer title to the real property located in Hillsborough County, Florida, to Earl and Angeline Feltner, free and clear of all claims, liens, and encumbrances by way of a Receiver’s Deed, pursuant to the Purchase and Sale Agreement.

DONE AND ORDERED in Tampa, Florida this 15th day of July, 2020.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record
Any Unrepresented Person