

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

HONORABLE MARY S. SCRIVEN

CASE NO. 8:20-cv-325-T-35AEP		DATE: July 31, 2020
TITLE: Securities and Exchange Commission v. Davison, et al.		
TIME: 10:07 AM – 11:21 AM; 11:31 AM – 12:27 PM		TOTAL: 2 hour, 10 minutes
Courtroom Deputy: Kristin Carreon		Court Reporter: David Walker-Collier
Counsel for Plaintiff(s): Alise Johnson; Chanel Rowe		
Counsel for Defendant(s): Howard Fisher and Charles Harris (for defendant Brian Davison); Adam Fels (for defendant Barry Rybicki)		
Counsel for Receiver: Katherine Donlon Receiver: Burton Wiand, Esq.		
Counsel for Movant, Bank of America: Miguel Cordano		
Counsel for Ferrari Financial Services: Carmen Contreras-Martinez		

CLERK'S MINUTES: PROCEEDINGS OF SHOW CAUSE MOTION HEARING

Court in session and counsel identified for the record. This hearing took place via Zoom video conference, with all parties appearing as such.

The Court hears argument on the following matters and motions:

Partial Motion for attorney's fees by counsel for Ferrari Financial Services, Ms. Contreras-Martinez, which stemmed from Receiver's Motion to Approve Sale of Personal Property (Luxury Vehicles) (Dkt. 109, resolved prior to the hearing) and the Limited Objection thereto filed by Ms. Contreras-Martinez (Dkt. 123). See also Dkt. 126. The parties state that they resolved the issue of attorney's fees amongst themselves prior to the hearing.

Investor Plaintiffs' Motion for Confirmation of Unimpeded Right to Prosecute Investor Claims (Dkt. 145): Denied without prejudice as to the Investors' ability to raise these defenses either affirmatively or defensively in the related action (8:20-cv-1677-T-35CPT), as appropriate. (Counsel of record for the Investor Plaintiffs' in 8:20-cv-1677-T-35CPT, Jeffrey Sonn and Frank Balint, spoke before the Court.)

Receiver's Motion to Approve Engagement of Real Estate Valuation Consultant, Specifically, Coldwell Banker (Dkt. 61): Motion withdrawn by Receiver.

Defendant Davison's (Motion) Application to Clarify Scope of Receivership and Memorandum of Law in Support Thereof (Dkt. 81): Taken under advisement.

Receiver's Motion to Expand the Scope of Receivership to Include REIT and QOZ Entities (Dkt. 90): Taken under advisement.

Motion by Defendant Brian Davison to Modify Agreed Order Modifying Asset Freeze (Dkt. 111): Granted to the extent stated on the record.

Orders to follow.

Court adjourned.