

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

Case No.: 8:20-cv-00325-MSS-AEP

v.

BRIAN DAVISON, *et al.*

Defendants.

ORDER

This cause comes before the Court upon Defendant Barry Rybicki's Notice of Filing and Request for Entry of Proposed Agreed Order Extending and Modifying Asset Freeze. (Dkt. 203) On February 14, 2020, the Court granted Plaintiff's Emergency Ex Parte Motion for Temporary Restraining Order, Asset Freeze, and Other Injunctive Relief. (Dkt. 10) The Commission and the Parties have agreed that the asset freeze be modified as detailed below. It is hereby **ORDERED** that, subject to any further application and Court Order, for the period from the date of this Order through the Court's disposition of the Preliminary Injunction:

1. Defendants and the Relief Defendants and their respective directors, officers, agents, servants, employees, attorneys, depositories, banks, and those persons in active concert or participation with any one or more of them, and each of them, who receive notice of this order by personal service, mail, email, facsimile transmission or otherwise, be and hereby are, restrained from, directly

or indirectly, transferring, setting off, receiving, changing, selling, pledging, assigning, liquidating or otherwise disposing of, or withdrawing any assets or property, including but not limited to cash, free credit balances, fully paid for securities, personal property, real property, and/or property pledged or hypothecated as collateral for loans, or charging upon or drawing from any lines of credit, owned by, controlled by, or in the possession of, whether jointly or singly, and wherever located:

- a. BRIAN DAVISON,
- b. BARRY M. RYBICKI,
- c. EQUIALT LLC,
- d. EQUIALT FUND, LLC,
- e. EQUIALT FUND II, LLC,
- f. EQUIALT FUND III, LLC,
- g. EA SIP, LLC,
- h. 128 E. DAVIS BLVD, LLC,
- i. 310 78TH AVE, LLC,
- j. 551 3D AVE S, LLC,
- k. 604 WEST AZEELE, LLC,
- l. 2101 W. CYPRESS, LLC,
- m. 2112 W. KENNEDY BLVD, LLC,
- n. 5123 E. BROADWAY AVE, LLC,

- o. BLUE WATERS TI, LLC,
- p. BNAZ, LLC,
- q. BR SUPPORT SERVICES, LLC,
- r. BUNGALOWS TI LLC,
- s. CAPRI HAVEN, LLC,
- t. EA NY, LLC,
- u. EQUIALT 519 3RD AVE S., LLC,
- v. MCDONALD REVOCABLE LIVING TRUST,
- w. SILVER SANDS TI, LLC,
- x. TB OLDEST HOUSE EST. 1842, LLC,
- y. TB OLDEST HOUSE EST. 1842, LLC.

2. Notwithstanding the foregoing:

- a. Barry Rybicki is authorized to sell a 2017 Porsche Targa 4S, VIN number WP0BB2A94HS136630 for \$105,000.00; the net proceeds of this sale shall be sent to the Receiver, who will then provide Mr. Rybicki with \$23,000 for the purchase of a personal vehicle.

3. The actions described in paragraph 2 above shall not be deemed a violation of this Order.

4. All remaining terms of the Asset Freeze Order not modified by this Order shall remain in place.

DONE and **ORDERED** in Tampa, Florida, this 5th day of October, 2020.

Copies furnished to:
Counsel of Record
Any Unrepresented Person