

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

SECURITIES AND EXCHANGE  
COMMISSION,

CASE NO. 8:20-CV-325-T-35AEP

Plaintiff,

v.

BRIAN DAVISON;  
BARRY M. RYBICKI;  
EQUIALT LLC;  
EQUIALT FUND, LLC;  
EQUIALT FUND II, LLC;  
EQUIALT FUND III, LLC;  
EA SIP, LLC;

Defendants, and

128 E. DAVIS BLVD, LLC;  
310 78TH AVE, LLC;  
551 3D AVE S, LLC;  
604 WEST AZEELE, LLC;  
2101 W. CYPRESS, LLC;  
2112 W. KENNEDY BLVD, LLC;  
5123 E. BROADWAY AVE, LLC;  
BLUE WATERS TI, LLC;  
BNAZ, LLC;  
BR SUPPORT SERVICES, LLC;  
BUNGALOWS TI, LLC;  
CAPRI HAVEN, LLC;  
EA NY, LLC;  
EQUIALT 519 3RD AVE S., LLC;  
MCDONALD REVOCABLE LIVING TRUST;  
SILVER SANDS TI, LLC;  
TB OLDEST HOUSE EST. 1842, LLC;

Relief Defendants.

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**RECEIVER’S NOTICE OF LACK OF BONA FIDE OFFERS REGARDING  
THE SALE OF 6209 2ND AVENUE NORTH, ST. PETERSBURG, FLORIDA**

On November 10, 2020, Burton W. Wiand, as Receiver (the “**Receiver**”) over the assets of the above-captioned corporate defendants and relief defendants,<sup>1</sup> filed the Receiver’s Verified Motion to Approve Private Sale of Real Property — 6209 2nd Avenue North, St. Petersburg, Florida (Doc. 214) (the “**Motion**” and the “**Property**”). A notice of the proposed sale was attached as Exhibit 5 to the Motion (the “**Notice of Sale**”). On November 15, 2020, the Notice of Sale was published in the Tampa Bay Times, which is regularly issued and of general circulation in the district where the property is located. An affidavit of publication for the Notice of Sale is attached hereto as Exhibit 1.

As indicated in the Motion, the Receiver files this notice to inform the Court that pursuant to 28 U.S.C. § 2001(b), no “bona fide offers” have been received. The Court has issued an order approving the sale of the Property (Doc. 228) and therefore, the Receiver anticipates closing the sale of the Property as described in the Motion.

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<sup>1</sup> The (“**Receiver**” and the “**Receivership**” or “**Receivership Estate**”) has been expanded to include the Corporate Defendants, Relief Defendants and the following entities: EquiAlt Qualified Opportunity Zone Fund, LP; EquiAlt QOZ Fund GP, LLC; EquiAlt Secured Income Portfolio REIT, Inc.; EquiAlt Holdings LLC; EquiAlt Property Management LLC; and EquiAlt Capital Advisors, LLC. *See* Doc. 184, at 6-7.

Respectfully submitted,

**s/Katherine C. Donlon**

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*Attorneys for the Receiver Burton W. Wiand*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on November 25, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

**s/Katherine C. Donlon**

Katherine C. Donlon

# **EXHIBIT 1**

0000123452-01

**Tampa Bay Times**  
**Published Daily**

STATE OF FLORIDA  
COUNTY OF Pinellas, Hillsborough

} SS

<b>NOTICE OF SALE</b>	
6209 2nd Avenue North St. Petersburg, Florida 33710	
LEGAL NOTICE: Pursuant to 28 U.S.C. § 2001, Burton W. Wiand, as the Court-appointed Receiver in SECURITIES AND EXCHANGE COMMISSION V. BRIAN DAVISON, et al., CASE NO. 8:20-CV-325-T-35AEP (M.D. Fla.), will conduct a private sale of the property located at 6209 2nd Avenue North, St. Petersburg, Florida 33710 to Ashley Watson Rogale for \$273,000. The sale is subject to approval by the United States District Court. Pursuant to 28 U.S.C. § 2001, bona fide offers that exceed the sale price by 10% must be submitted to the Receiver within 10 days of the publication of this notice. All inquiries regarding the property or the sale should be made to the Receiver at 5505 W. Gray St. Tampa, FL 33609. Telephone: (813) 347-5100. Or at 114 Turner St. Clearwater, FL 33756. Telephone: (727) 235-6769.	
November 15, 2020	0000123452

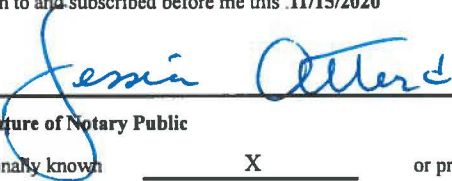
Before the undersigned authority personally appeared **Jean Mitotes** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida, that the attached copy of advertisement, being a Legal Notice in the matter **RE: Sale 6209 2nd Avenue North** was published in **Tampa Bay Times: 11/15/20** in said newspaper in the issues of **Baylink Pinellas, Baylink Hillsborough**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas, Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas, Hillsborough County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas, Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid not promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Signature Affiant

Sworn to and subscribed before me this **.11/15/2020**



Signature of Notary Public

Personally known \_\_\_\_\_ X \_\_\_\_\_ or produced identification

Type of identification produced \_\_\_\_\_



**JESSICA ATTARD**  
Commission # GG 308686  
Expires March 28, 2023  
Bonded Thru Budget Notary Services