

**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.

**RECEIVER'S NOTICE OF LACK OF BONA FIDE OFFERS REGARDING THE
PROPOSED SALE OF 2236 GABARONE BOULEVARD, AUBURNDALE, FL**

On November 25, 2020, Burton W. Wiand, as Receiver (the “**Receiver**”) over the assets of the above-captioned corporate defendants and relief defendants,¹ filed the Receiver’s Unopposed Verified Motion to Approve Private Sale of Real Property — 2236 Gabarone Boulevard, Auburndale, FL (Doc. 231) (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 29, 2020, the Notice of Sale was published in The Ledger, which is a newspaper that 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. Therefore, pending the Court’s approval, the Receiver anticipates closing the sale of the Property as described in the Motion.

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

¹ 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 December 9, 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

AFFIDAVIT OF PUBLICATION THE LEDGER

Lakeland, Polk County, Florida

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Olga L. Rodriguez Martin, who on oath says that she is an Account Executive for Advertising at The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

NOTICE OF SALE

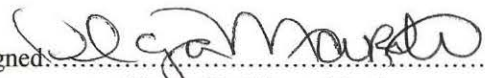
In the matter of REAL PROPERTY

Concerning BURTON W. WIAND

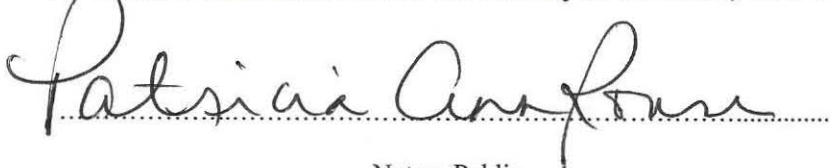
as published in said newspaper and on-line in the issues of

11-29; 2020

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor 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.

Signed: 
Olga L. Rodriguez Martin
Advertising Account Executive
Who is personally known to me.

Sworn to and subscribed before me this 30th day of November, 2020 A.D.


Notary Public

(Seal)

