

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

Case No: 8:20-cv-325-MSS-AEP

**BRIAN DAVISON, BARRY M.
RYBICKI, EQUIALT LLC,
EQUIALT FUND, LLC, EQUIALT
FUND II, LLC, EQUIALT FUND III,
LLC, EA SIP, LLC, 128 E. DAVIS
BLVD, LLC, 310 78TH AVE, LLC,
551 3D AVE S, LLC, 604 WEST
AZELEE, 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, and TB OLDEST HOUSE EST.
1842, LLC,**

Defendants.

ORDER

THIS CAUSE comes before the Court for consideration of the Receiver's Unopposed Motion to (1) Approve Procedure to Administer Claims and Proof of

Claim Form, (2) Establish Deadline for Filing Proof of Claim Forms, (3) Permit Notice by Mail and Publication, and (4) Approve the Retention of Omni Agent Solutions (the “Motion”). (Dkt. 335) Having considered the Motion, and being otherwise fully advised, it is **ORDERED** and **ADJUDGED** that:


1. The Motion, (Dkt. 335), is **GRANTED**.
2. Each person or entity that asserts a claim against the Receivership arising out of or related in any way to the acts, conduct, or activities of the Receivership Entities and the fraudulent investment scheme set forth in the complaint filed by the Securities and Exchange Commission in this action must submit an original Proof of Claim Form, as attached to the Motion as Exhibit 1. Proof of Claim Forms may be submitted by one of the following options: (1) online, through the Receiver’s eClaims portal which can be accessed at www.omniagentsolutions.com/; (2) by uploading the completed Proof of Claim Form to www.omniagentsolutions.com/; or (3) by mailing the completed Proof of Claim Form to EquiAlt Receiver Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Avenue, Suite 100, Woodland Hills, CA 91367. **Proof of Claim Forms shall be received on or before 90 days from the mailing of the Proof of Claim Form to known possible Claimants (the “Claims Bar Date”).** Any person or entity that fails to submit a claim to the Receiver on or before the Claim Bar Date (i.e., fails

to take the necessary steps to ensure that the Proof of Claim Form is received by the Receiver on or before the Claim Bar Date), shall be forever barred and precluded from asserting any claim against any Receivership Entity or the Receivership. The Claims Bar Date will apply to all creditors and victims of the EquiAlt scheme.

3. The notice procedures for the Claim Bar Date provided in the Motion shall be sufficient and reasonably calculated to provide notice to all claimants if made by (a) first class U.S. mail to the last known addresses of known potential Claimants, (b) by publication on one day in the national publication of *The USA Today*, and on one day in the local publications of the *Arizona Republic*, the *Tampa Bay Times*, the *San Francisco Chronicle*, and the *Los Angeles Times* at least 45 days prior to the Claims Bar Date, and (c) by publication on the Receiver's website at www.equialtreceivership.com. The Notice shall be in substantially the form attached to the Motion as Exhibit 3. The Court hereby authorizes that the costs of publication be paid directly from Receivership assets.
4. The Proof of Claim Form attached to the Motion as Exhibit 1 and the claims administration procedures set forth in the Motion as well as the Claims Process Instructions attached as Exhibit 2 to the Motion are **APPROVED**.

5. The Receiver is **AUTHORIZED** to retain Omni Agent Solutions to assist with the logistical aspects of the Claims Process as set forth in Exhibit 5 to the Motion.

DONE and **ORDERED** in Tampa, Florida, this 8th day of July 2021.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record
Any Unrepresented Person