

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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

Case No. 8:20-CV-325-T-35AEP

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, et al.,

Relief Defendants.

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**RECEIVER'S UNOPPOSED MOTION FOR EXTENSION UNTIL  
AUGUST 27, 2021 OF DEADLINE TO FILE QUARTERLY FEE  
APPLICATION**

Burton W. Wiand, as Receiver (the "Receiver"), respectfully moves the Court to extend the deadline for filing the Receiver's Sixth Quarterly Fee Application for Order Awarding Fees, Costs, and Reimbursement of Costs ("Fee Application") to August 27, 2021. In support thereof, the Receiver states as follows:

1. Pursuant to the Order Appointing Receiver [Doc. 11], entered by the Court on February 14, 2020, Quarterly Fee Applications are to be submitted within forty-five (45) days of the end of the quarter. Doc. 11 at ¶33.

2. On June 1, 2021, the Receiver filed his Fifth Quarterly Fee Application [Doc. 320], which detailed the Receiver and his team's activities for the first quarter of 2021. The Fee Application for the second quarter of 2021 is due August 16, 2021.

3. The preparation of the Quarterly Fee Application has been slowed due to (1) continued efforts with Omni Agent Solutions to finalize the claims process and (2) the Receiver's preparations for the joint mediation against DLA Piper, Fox Rothschild and Paul Wassgren scheduled for August 17-18, 2021. Given these circumstances, the Receiver requires a brief extension of the deadline to file this past quarter's Fee Application until August 27, 2021.

4. This motion is not made for purposes of delay, and the relief requested will not prejudice any party.

WHEREFORE, the Receiver respectfully requests an extension of the deadlines for filing of the Receiver's Sixth Quarterly Application for Fees to August 27, 2021.

**LOCAL RULE 3.01(G) CERTIFICATION**

Undersigned counsel for the Receiver has conferred with counsel for the SEC and Mr. Rybicki and is authorized to represent to the Court that there is no objection to the relief requested in this motion.

Respectfully submitted,

**/s/ Katherine C. Donlon**

Katherine C. Donlon, FBN 0066941

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Attorneys for Burton W. Wiand Receiver

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 17, 2021, I electronically filed the foregoing with the Clerk of this Court by using the CM/ECF system which will send notification of electronic filing to all counsel of record.

**/s/ Katherine C. Donlon**\_\_\_\_\_