

**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,

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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ORDER

THIS CAUSE comes before the Court for consideration of the Receiver's Unopposed Motion to Approve Transfer of Title to the Property Located at 134 Northside Drive W., Lake Wales, Florida 33853 (the "Motion"). (Dkt. 365) At the request of the Securities and Exchange Commission ("SEC"), the Court appointed the Receiver on February 14, 2020 and directed him, in relevant part, to "[t]ake immediate possession of all property, assets and estates of every kind of the Corporate Defendants and Relief Defendants," which includes "all real property of the Corporate Defendants and Relief Defendants, wherever situated, and to administer such assets as is required in order to comply with the directions contained in this Order." (Dkt.11)

The Court previously approved the sale of the Property as part of an auction conducted by the Receiver. (Dkt. 349) The Property was sold at auction to Nitren LLC and the Receiver requests that the Court approve the transfer of title of the Property to Nitren LLC. (Dkt. 365) The SEC and Defendants Brian Davison and Bryan Rybicki concur in the Motion. (*Id.* at 3) The Receiver provides the Sale Procedures Agreement for the Property for the Court's review. (Dkt. 365-1)

Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

1. The Receiver's Motion, (Dkt. 365), is **GRANTED**.
2. Transfer of title to the Property located at 134 Northside Drive W., Lake Wales, Florida 33853, better known as Polk County Property Appraiser's


Parcel Id Number (PIN): 27-29-34-875300-002240 (the "Property") to

Nitren LLC is **APPROVED**. The Property's legal description is as follows:

NORTHSIDE HEIGHTS PB 36 PG 48 BLK B LOT 24

3. Said transfer shall be free of any and all liens and encumbrances.

DONE and ORDERED in Tampa, Florida, this 23rd day of September 2021.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:

Counsel of Record