

**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 2500 Harn Blvd., #E4, Clearwater, Florida 33764 (the "Property"). (Dkt. 373) 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 Leanne Kerber, and the Receiver requests that the Court approve the transfer of title of the Property to Leanne Kerber. (Dkt. 373) The SEC and Defendants Brian Davison and Barry Rybicki concur in the Motion. (Id. at 3) The Receiver provides the Sale Procedures Agreement for the Property for the Court's review. (Dkt. 373-1)

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

1. The Receiver's Motion, (Dkt. 373), is **GRANTED**.
2. Transfer of title to the Property located at 2500 Harn Blvd., #E4, Clearwater, Florida 33764, better known as Pinellas County Property Appraiser's Parcel


Id Number (PIN): 19-29-16-58980-005-0040 to Leanne Kerber is

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

**Unit No. 4, Building E, MORNINGSIDE EAST III, A CONDOMINIUM, together with an undivided share in the common elements appurtenant thereto, according to the Declaration of Condominium and all its attachments and amendments, as recorded in O.R. Book 4919, Pages 1671 through 1724, and as recorded in Condominium Plat Book 37, Pages 16 through 20, Public Records of Pinellas County, Florida.**

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

**DONE and ORDERED** in Tampa, Florida, this 24th day of September 2021.

  
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MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

**COPIES FURNISHED TO:**  
Counsel of Record