

**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;
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
21 WEST 20TH STREET #5, NEW YORK, NY**

On October 20, 2021, Burton W. Wiand, as Receiver (the “**Receiver**”) over the assets of the above-captioned corporate defendants and relief defendants,¹ filed the Receiver’s Verified Unopposed Motion to Approve Private Sale of Real Property — 21 West 20th Street #5, New York, NY (Doc. 425) (the “**Motion**” and the “**Property**”). A notice of the proposed sale was attached as Exhibit 5 to the Motion (the “**Notice of Sale**”). On October 27, 2021, the Notice of Sale was published in The New York Post, 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. The Court has issued an order (Doc. 429) granting the Motion and

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. *See also*, Doc. 284.

therefore, the Receiver anticipates closing the sale of the Property as described in the Motion.

Respectfully submitted,

s/R. Max McKinley

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DECORT P.A.**

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*Attorneys for the Receiver Burton W.
Wiand*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 10, 2021, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

s/ R. Max McKinley

R. Max McKinley

EXHIBIT 1



State of New York

COUNTY OF NEW YORK

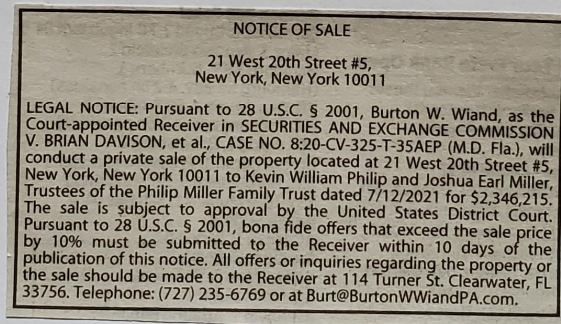
Brandon Varrone being duly sworn,

says that he/she is the principal Clerk of the Publisher of the

New York Post

a daily newspaper of general circulation printed and published in the English language, in the County of New York, State of New York; that advertisement hereto annexed has been regularly published in the said "New York Post" once, on the:

161673 on the 27th of October, 2021



Brandon Varrone

Sworn to before me on this 27th day of October 2021

Margaret T. Varrone
Notary Public
MARGARET T VARRONE
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01VA6354821
Qualified in Rockland County
My Commission Expires: 02-21-25