

**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.

**RECEIVER'S UNOPPOSED MOTION FOR EXTENSION UNTIL
NOVEMBER 30, 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 Seventh Quarterly Fee Application for Order Awarding Fees, Costs, and Reimbursement of Costs ("Fee Application") to November 30, 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 August 27, 2021, the Receiver filed his Sixth Quarterly Fee Application [Doc. 361], which detailed the Receiver and his team's activities for the second quarter of 2021. The Fee Application for the third quarter of 2021 is due November 15, 2021.

3. The preparation of the Quarterly Fee Application has been delayed due to an office move by Guerra King as well as obtaining invoices from Omni Agent Solutions and conforming those invoices to the SEC and Court's standards. Given these circumstances, the Receiver requires a brief extension of the deadline to file this past quarter's Fee Application until November 30, 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 Seventh Quarterly Application for Fees to November 30, 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

kdonlon@jclaw.com

JOHNSON, CASSIDY, NEWLON &
DeCORT P.A.

2802 N. Howard Avenue

Tampa, FL 33607

Tel: (813) 291-3300

Fax: (813) 324-4629

and

Jared J. Perez, FBN 0085192

jperez@guerraking.com

R. Max McKinley, FBN 119556

mmckinley@guerraking.com

GUERRA KING P.A.

5505 West Gray Street

Tampa, FL 33609

Tel: (813) 347-5100

Fax: (813) 347-5198

Attorneys for Burton W. Wiand Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 12, 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