

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

**CIVIL ACTION NO. 20-cv-00325-MSS-AEP**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**BRIAN DAVISON, BARRY RYBICKI,  
EQUIALT et al.,**

**Defendants.**

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**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF STAY OF  
CASE TO ALLOW SEC COMMISSIONERS TO CONSIDER  
PROPOSED SETTLEMENT WITH DEFENDANT BARRY RYBICKI**

As this Court is aware, the Plaintiff Securities and Exchange Commission's staff and Defendant Barry Rybicki have agreed on a proposed settlement of all claims and relief the Commission seeks against Mr. Rybicki. The Court previously entered a stay of proceedings to allow the SEC's Commissioners an opportunity to review the settlement to determine whether they approve of the proposed settlement. *See* (DE 445). That stay currently expires on February 21, 2022. The Commissioners are currently reviewing the terms of the settlement, but require additional time to complete their review. Thus, the Commission moves for a brief extension of the current stay of all pre-trial deadlines in this matter for 14 days or

until March 7, 2022. Such a stay would not include any related mediations, settlement discussions or work being performed by the Court-appointed Receiver. A short extension of the stay will allow the Commission staff to seek the Commissioners' approval of the proposed settlement and relieve costs to Defendant of having to litigate while a settlement is reviewed for approval. If the Commissioners approve the settlement, it will resolve the case in its entirety against the last remaining Defendant, Barry Rybicki. Defendant Rybicki does not oppose this motion.

Once the Commissioners consider the proposed settlement, we will immediately notify the Court of the result. If the Commissioners approve the settlement, we will promptly file the appropriate settlement paperwork requesting the Court to enter final judgments against Defendant Barry Rybicki. Thus, the Commission respectfully requests that the Court grant the requested relief.

**Local Rule 3.01(g) Certification**

Pursuant to Local Rule 3.01(g), the undersigned counsel for the Commission conferred with counsel for the Defendant Barry Rybicki, who does not object to the requested relief.

Respectfully submitted,

February 16, 2022

s/Alise Johnson  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on February 16, 2022, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/Alise Johnson  
Alise Johnson, Esq.