

**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 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.

**INVESTOR PLAINTIFFS' NOTICE OF WITHDRAWAL
WITHOUT PREJUDICE OF MOTION TO ALLOW INVESTOR PLAINTIFFS
TO ASSERT CLAIMS AGAINST BRIAN DAVISON OR ALTERNATIVELY
FOR A LIMITED AMENDMENT OF THE RECEIVERSHIP ORDER**

Plaintiffs in *Richard Gleinn, et al. v. Paul Wassgren, et al.*, Case No. 8:20-cv-01677-MSS-CPT (the "Investor Plaintiffs"), hereby withdraw without prejudice their Motion to Allow Investor Plaintiffs to Assert Claims Against Brian Davison or Alternatively for a Limited Amendment of the Receivership Order [ECF No. 459] (the "Motion to Assert Claims").

The Investor Plaintiffs filed their Motion to Assert Claims on December 16, 2021. Since that time, the Investor Plaintiffs have engaged in negotiations with Defendant Brian Davison to resolve the claims that Investor Plaintiffs would otherwise assert against him if the Motion to Assert Claims were granted. Those negotiations have resulted in a settlement agreement with Defendant Davison that is subject to certain contingencies requiring approval by the Court in conjunction with other related settlements currently under negotiation. To facilitate consummation of the overall settlement process, the Investor Plaintiffs hereby withdraw their Motion to Assert Claims, without prejudice to refile the motion should any contingencies to the settlement with Defendant Davison fail to be satisfied.

Accordingly, the Investor Plaintiffs respectfully withdraw their Motion to Assert Claims, etc. [ECF No. 459], and will not be filing a reply in support of that Motion, which the Court granted them leave to file in its order dated February 17, 2022 [ECF No. 512].

RESPECTFULLY SUBMITTED this 17th day of February, 2022.

By: *s/ Adam M. Moskowitz*

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