

**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 SALE OF 1911 EAST POINSETTIA AVENUE,
TAMPA, FLORIDA**

On November 24, 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 — 1911 East Poinsettia Avenue, Tampa, Florida (Doc. 450) (the “**Motion**” and the “**Property**”). The Motion has been granted (Doc. 455).

A notice of the proposed sale was attached as Exhibit 5 to the Motion (the “**Notice of Sale**”). On November 28, 2021, the Notice of Sale was published in The Tampa Bay Times, 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” were received.

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.

Respectfully submitted,

s/R. Max McKinley

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Fax: (813) 324-4629

*Attorneys for the Receiver Burton W.
Wiand*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 1, 2022, 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

0000197478-01

Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Hillsborough

} ss

Before the undersigned authority personally appeared **Jean Mitotes** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida, that the attached copy of advertisement, being a Legal Notice in the matter **RE: 1911 E. Poinsettia Avenue** was published in **Tampa Bay Times: 11/28/21** in said newspaper in the issues of **Baylink Hillsborough**

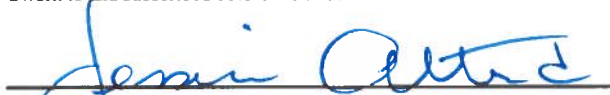
<p>NOTICE OF SALE 1911 E. Poinsettia Avenue Tampa, Florida 33612</p> <p>LEGAL NOTICE: Pursuant to 28 U.S.C. § 2001, Burton W. Wiand, as the Court-appointed Receiver in SECURITIES AND EXCHANGE COMMISSION V. BRIAN DAVISON, et al., CASE NO. 8:20-CV-325-T-35AEP (M.D. Fla.), will conduct a private sale of the property located at 1911 E. Poinsettia Avenue, Tampa, Florida 33612 to Eduardo Rabaza Pina for \$150,000. The sale is subject to approval by the U.S. District Court. Pursuant to 28 U.S.C. § 2001, bona fide offers that exceed the sale price by 10% must be submitted to the Receiver within 10 days of the publication of this notice. All offers or inquiries regarding the property or its sale should be made to the Receiver at 114 Turner St. Clearwater, FL 33756. Telephone: (727) 235-6769. Email: Burt@BurtonWWIandPA.com. 11/28/21 0000197478</p>
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Affiant further says the said **Tampa Bay Times** is a newspaper published in Hillsborough County, Florida and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida each day and has been entered as a second class mail matter at the post office in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Signature Affiant

Sworn to and subscribed before me this **11/28/2021**



Signature of Notary Public

Personally known _____ X _____ or produced identification

Type of identification produced _____



JESSICA ATTARD
Commission # GG 308686
Expires March 28, 2023
Bonded Thru Budget Notary Services