

**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 NOTICE OF LACK OF BONA FIDE OFFERS
REGARDING THE SALE OF 1500 BELL RIDGE ROAD,
JOHNSON CITY, TENNESSEE**

On June 29, 2022, 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 — 1500 Bell Ridge Road, Johnson City, Tennessee (Doc. 588) (the “**Motion**” and the “**Property**”). The Court has not issued an order addressing the Motion.

As stated in the affidavit of publication, attached to the Motion as Exhibit 5,² the notice of sale was published on June 24, 2022, in The Johnson City Press, which is a newspaper that is regularly issued and of general circulation in the district where the Property is located. The Receiver files this notice to inform the Court that pursuant to 28 U.S.C. § 2001(b), the 10-day window for “bona fide offers” has ended and no such 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.

² The affidavit of publication that was included as Exhibit 5 to the Motion (Doc. 588-5) included a copy of the advertisement that was wrinkled and partially obscured. *See* Doc. 588 at 6 n.6. An unwrinkled legible copy of the advertisement and affidavit of publication is attached hereto as **Exhibit 1**.

Respectfully submitted,

s/R. Max McKinley

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*Attorneys for the Receiver Burton W.
Wiand*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 8, 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

1500 Bell Ridge Road
Johnson City, TN 37601

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 1500 Bell Ridge Road, Johnson City, TN 37601 to Guifu Chen for \$2,260,000. 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.

PUB1T: 6/24/2022

THE JOHNSON CITY PRESS
204 W. Main Street
Johnson City, TN 37604

AFFIDAVIT OF PUBLICATION

AD# 11600252

DATES: 6/24/22

State of Tennessee)
Carter County)
Washington County)

Ashley Blevins makes the oath that she is a Representative of The Johnson City Press , a daily newspaper published in Johnson City, in said County and State, and that the advertisement was published in said paper for 1 insertion (s) commencing on 6/24/22 and ending on 6/24/22.

Ashley Blevins
Ashley Blevins

Sworn to and Subscribed before me this

June 24, 2022
Month Day Year



Marsha McNalley
Marsha McNalley
Notary Public

My commission expires on 11/30/2024

This legal notice was published online at www.johnsoncitypress.com and www.publicnoticeads.com during the duration of the run dates listed. This publication fully complies with Tennessee Code Annotated 1-3-20