

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

Case No. 8:20-cv-325-MSS-MRM

BRIAN DAVISON, et al.,

Defendants.

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**DEFENDANT BRIAN DAVISON'S MOTION
FOR LEAVE TO FILE REPLY**

Brian Davison, consistent with Local Rule 3.01(d), moves for leave to reply to the Receiver's consolidated response to the Davisons' respective motions to quash subpoenas. (Doc. 669). The need to reply exists because the Receiver puts forth novel and unexpected arguments, including one effectively asserting that the Federal Rules of Civil Procedure do not apply to the Receiver. (*Id.* at 5–9, 18–19). Further, the Receiver puts forth many legal and factual inaccuracies Mr. Davison must address and correct before the Court decides the pending motions, including the show-cause motions.

Mr. Davison proposes that his reply not exceed seven pages. A seven-page reply would still bring Mr. Davison's total briefing on the issue within Local Rule 3.01(a)'s 25-page limit for a motion. *See* Local Rule 3.01(a); (Doc. 637) (totaling ten pages); *see*

also (Doc. 649) (granting Receiver's motion for leave to file reply not exceeding seven pages).

Therefore, Mr. Davison asks that the Court grant him leave to file a seven-page reply to the Receiver's consolidated response to the motions to quash subpoenas.

Respectfully submitted,

/s/ Stanley T. Padgett

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CERTIFICATE UNDER LOCAL RULE 3.01(g)

Counsel for Davison was unable to confer with counsel for the Receiver or the SEC because the undersigned counsel underwent an operation on October 10, 2022. The undersigned will supplement this motion promptly after contacting opposing counsel or within three days. *See* Local Rule 3.01(g)(3).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been filed via the Court's CM/ECF system on this October 11, 2022.

/s/ Stanley T. Padgett