

**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.

**NON-PARTY NICOLE DAVISON’S MOTION
FOR LEAVE TO FILE REPLY**

Nicole 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 to correct many factual inaccuracies the Receiver includes in his response, especially about Mrs. Davison’s alleged involvement with EquiAlt and the irreparable damages she sustained because of the Receiver’s actions. Further, Mrs. Davison must address the Receiver’s groundbreaking argument that discovery against nonparties need not comply with the Federal Rules of Civil Procedure. (Doc. 669 at 18). The need exists for Mrs. Davison to distinguish the authority the Receiver cites to support his novel approach. (*Id.* at 18 n.3).

Mrs. Davison proposes that her reply not exceed seven pages. A seven-page reply would still bring Mrs. 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. 638) (totaling nine

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

Therefore, Mrs. Davison asks that the Court grant her 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