

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No. 8:20-CV-325-T-35MRM

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 500 MURFREESBORO ROAD,
FRANKLIN, TENNESSEE**

On September 14, 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 — 500 Murfreesboro Road, Franklin, Tennessee (Doc. 641) (the “**Motion**” and the “**Property**”). The Court has not issued an order addressing the Motion.

A notice of sale was published on September 28, 2022, in The Tennessean, which is a newspaper that is regularly issued and of general circulation in the district where the Property is located. An affidavit of publication is attached as **Exhibit 1**. The Receiver files this notice to inform the Court that pursuant to 28 U.S.C. § 2001(b), no “bona fide offers” were received.

Respectfully submitted,

s/R. Max McKinley

R. Max McKinley, FBN 119556

mmckinley@guerraking.com

GUERRA KING P.A.

1408 N. Westshore Blvd., Suite 1010

Tampa, FL 33607

Tel: (813) 347-5100

Fax: (813) 347-5198

and

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.

Katherine C. Donlon, FBN 0066941

kdonlon@jclaw.com

**JOHNSON, CASSIDY, NEWLON &
DECORT P.A.**

3242 Henderson Blvd., Ste. 210

Tampa, FL 33609

Tel: (813) 291-3300

Fax: (813) 324-4629

*Attorneys for the Receiver Burton W.
Wiand*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 11, 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

AFFIDAVIT OF PUBLICATION

0005429049

Newspaper The Tennessean

State of Tennessee

Account Number 8133210513JOHN

Advertiser JOHNSON, CASSIDY, NEWLON & DECOR

JOHNSON, CASSIDY, NEWLON & DECORT
2802 N. HOWARD AVENUE
TAMPA, FL
33607

TEAR SHEET
ATTACHED

Jackie Cooper

Sales Assistant for the above mentioned newspaper,

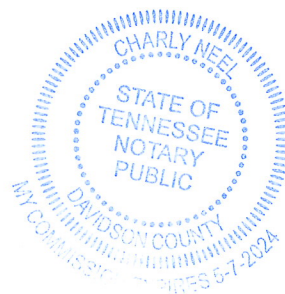
hereby certify that the attached advertisement appeared in said newspaper on the following dates:

09/28/22

Jackie Cooper

Subscribed and sworn to before me this 28 day of Sept 2022

Charly Neel
Notary Public



Classifieds

To advertise, visit:
classifieds.tennessean.com
 Classifieds Phone: 800.828.4237
 Classifieds Email: tnclassifieds@gannett.com
 Public Notices/Legals Email: publicnotice@tnmedia.com

All classified ads are subject to the applicable rate card, copies of which are available from our Advertising Dept. All ads are subject to approval before publication. The Tennessean reserves the right to edit, refuse, reject, classify or cancel any ad at any time. Errors must be reported in the first day of publication. The Tennessean shall not be liable for any loss or expense that results from an error in or omission of an advertisement. No refunds for early cancellation of order.

Your Source Public Notices

for the latest...
Public Notices

0005429049
NOTICE OF SALE
 500 Murfreesboro Road
 Franklin, TN 37064

LEGAL NOTICE: Pursuant to 28 U.S.C. § 2001, Burton W. Wand, 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 500 Murfreesboro Road, Franklin, TN 37064 to David Douglas and/or a related entity for \$505,000. 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@BurtonW.WandPA.com.

Public Notices

★ ★ ★ ★

Garage Sales work! Make some money for your honey.

★ ★ ★ ★

Public Notices

1-800-Pack-Rat (TN-Nashville-6252)
 432 Harding Industrial Drive
 Nashville, TN 37211
 877-774-1537
 Notice of Sale

Tenant:	Unit #
Brooks, Jeanne	ZM1645
Cannon, Lakeisha	803196
Jackson, Linda	803031
Johnson, Maxine	B60041
Jones, Angela	D62043
Jones, Angela	D64109
Matthews, Rinaud	703343
Wollen, Aimee	B60362
Wollen, Aimee	701393
Michael Gonzalez (LDM)	D01554

1-800-Pack-Rat (TN-Nashville-6252), 432 Harding Industrial Drive, Nashville, TN 37211, has possessory lien on all of the goods stored in the units above. All these items of personal property are being sold pursuant to the assertion of the lien on 10/10/2022 at 10:00 AM in order to collect the amounts due from you. The sale will take place on www.storagetreasures.com from 10/10/2022 to 10/17/2022 at 12:00 PM

Public Notices

Public Notices

0005426653

PUBLIC NOTICE FOR OCTOBER 2022 Notice of Public Meetings and Public Comment Opportunities related to the Greater Nashville Regional Council (GNRC) and its Boards and Committees

Public Meetings
 Notice is hereby given that the following will meet during regular sessions for the purposes of considering and transacting business on behalf of the GNRC and its membership.

- Regional Council (RC)** – The RC is the governing body for GNRC. It will meet at the Tennessee State Library and Archives, 1001 Rep. John Lewis Way N, Nashville, TN 37219 on Oct. 19 at 10:15 a.m. to conduct business on behalf of its local government members.
- Mid-Cumberland Area Development Corporation Board of Directors (MADC)** – MADC is a federally recognized Certified Development Company administered by GNRC. It will meet at 220 Athens Way, Suite 200, Nashville, TN 37228 on Oct. 20 at 10:30 a.m. to conduct regular business related to the approval of small business loans backed with federal resources.

Further notice is given that the most up-to-date information about these and other public meetings is posted online at www.gnrc.org. Please check the website or call 615-862-8828 for the latest information about public meeting times and locations or other items of public notice.

Opportunity for Public Comment
 GNRC is seeking public review and comment on the following item(s). Comments may be submitted in writing by email to comments@gnrc.org. Please include the document name in the subject line. Items will be posted for review at <https://www.gnrc.org/PublicNotices>.

- Transportation Improvement Program (TIP)** – The TIP is a federally required program of projects that identifies regionally significant and federally-funded improvements to area roadways and intersections, public transit, and bicycle and pedestrian facilities across the planning area of the Nashville Metropolitan Planning Organization. In addition, the TIP satisfies the public participation requirements for the program of projects for WeGo Public Transit, the Franklin Transit Authority, and the Murfreesboro Rover. The GNRC Transportation Policy Board will consider the adoption of the proposed TIP for federal fiscal years 2023 thru 2026 at a public hearing held in conjunction with its meeting on November 16. A copy of the draft document will be available online for public comment no later than October 26.

About the GNRC
 GNRC is established by the TN General Assembly as an association of local governments empowered to convene local and state leaders for the purposes of planning and programming state and federal investments into a range of social services and public infrastructure projects. GNRC serves as the region's federally recognized Metropolitan Planning Organization (MPO), Area Agency on Aging and Disability (AAAD), and Economic Development District (EDD). GNRC does not discriminate on the basis of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), family status, national origin, age, disability, genetic information (including family medical history), political affiliation, military service, or limited English proficiency. Complaints or requests for accommodation should be directed to Grant Kehler, Non-Discrimination Coordinator, 220 Athens Way, Suite 200, Nashville, TN 37228, phone number 615-862-8828.

Individuals who prefer to make their comments in person may attend one of the following public hearings to comment on these planned changes:

- A public hearing will be held electronically on October 7, 2022, at 10:00 a.m. CT. Members of the public interested in attending this hearing may access the event at <https://tngov.webex.com/meet/JReeve> on the morning of October 7, 2022.
- A public hearing will be held in person on October 10, 2022, at 2:00 p.m. CT in Room 1 East A of the TennCare Building, 310 Great Circle Road in Nashville.

Public Notices

0005427569 Notice of Change in the TennCare Program Coverage of Dental Services for Adults

The Commissioner of the Tennessee Department of Finance and Administration is providing official notification, pursuant to 42 CFR § 431.408 and the terms and conditions of the TennCare Demonstration, of a planned change to the TennCare program. This change entails enhancements to the benefits available to adults enrolled in TennCare. This notice is provided in order to solicit public input on this planned change.

Currently, TennCare covers dental services for children under age 21, for pregnant and postpartum adults, and for certain adults receiving long-term services and supports from TennCare. Dental services are not currently covered for most adults enrolled in TennCare.

Effective January 1, 2023, TennCare will cover dental services for all adults enrolled in TennCare. Dental services for adults will be furnished by the dental benefits manager (DBM) under contract with TennCare to administer dental services to TennCare members. Dental benefits covered for adults age 21 and older will include services from the following categories: diagnostic x-rays and exams; preventive cleanings; topical fluoride treatments and caries arresting medicament; restorative (fillings); endodontics; scaling and root planing; full mouth debridement; crowns; partial dentures; complete dentures; immediate complete dentures and complete denture relines; tooth extractions; alveoloplasty; removal of lateral exostosis; removal of torus palatinus; removal of torus mandibularis; palliative treatment; and nitrous oxide inhalation sedation.

This change will not result in the enrollment of additional persons in the TennCare program. The coverage of dental services for adults is expected to result in an increase in annual aggregate expenditures of approximately \$75.5 million under the TennCare program.

The full public notice associated with these changes is available on the TennCare website at <https://www.tn.gov/content/dam/tn/tenncare/documents/2/AdultDentalComprehensiveNotice.pdf>.

Members of the public who wish to comment on these proposed changes may send written comments by mail to Mr. Aaron Butler, Director of Policy, Division of TennCare, 310 Great Circle Road, Nashville, Tennessee 37243, or by email to public.notice.tenncare@tn.gov. Persons wishing to review copies of written comments received may submit their requests to the same email and/or physical address. In order to be considered prior to implementation of these changes, feedback must be received no later than October 24, 2022.

Individuals who prefer to make their comments in person may attend one of the following public hearings to comment on these planned changes:

- A public hearing will be held electronically on October 7, 2022, at 10:00 a.m. CT. Members of the public interested in attending this hearing may access the event at <https://tngov.webex.com/meet/JReeve> on the morning of October 7, 2022.
- A public hearing will be held in person on October 10, 2022, at 2:00 p.m. CT in Room 1 East A of the TennCare Building, 310 Great Circle Road in Nashville.

Individuals with disabilities or individuals with limited English proficiency who wish to participate in one of the hearings and who may require language or communication assistance to do so should contact Talley Olson of TennCare's Office of Civil Rights Compliance by phone at (855) 857-1673 or by email at HCFA.fairtreatment@tn.gov prior to the date of the hearing.

Copies of this notice will be available in each county office of the Tennessee Department of Health.

We do not treat people in a different way because of their race, color, birth place, language, age, disability, religion, or sex. <https://www.tn.gov/tenncare/members-applicants/civil-rights-compliance.html>

Public Notices

0005427173 NOTICE OF MEETING AND PUBLIC HEARINGS

THE HEALTH AND EDUCATIONAL FACILITIES BOARD OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE (the "Board"), will meet in public session at 3:30 p.m. local time, on Wednesday, October 5, 2022 in Metropolitan County Council Committee Room No. 2, 2nd Floor, in the Metropolitan Courthouse, 1 Public Square, Nashville, Tennessee, for the purpose of considering and transacting all business which may properly come before the Board, such business to include, but not necessarily be limited to, the following:

- The request of Ewing Heights, LP, a Tennessee limited partnership, for an amendment to increase the amount of the preliminary approval of the issuance of multifamily housing revenue bonds, in one or more series (the "Ewing Heights Bonds"), previously approved by the Board in an amount not to exceed \$35,000,000 to \$43,000,000, the proceeds of the sale thereof to be loaned to Ewing Heights, LP, to finance the acquisition, construction, and equipping of an approximately 180 unit multifamily housing facility to be located at or near 334 Ewing Drive, Nashville, Davidson County, Tennessee 37207 (the "Ewing Heights Project"). Ewing Heights, LP will be the owner and operator of the Ewing Heights Project to be financed with the proceeds of the Ewing Heights Bonds.
- The request of Shelby House 1, LP, a Tennessee limited partnership, for an amendment to extend the term of its preliminary approval and to increase the amount of the preliminary approval of the issuance of multifamily housing revenue bonds, in one or more series (the "Shelby House Bonds"), previously approved by the Board in an amount not to exceed \$35,000,000 to \$37,000,000, the proceeds of the sale thereof to be loaned to Shelby House 1, LP, to finance the acquisition, construction, and equipping of an approximately 193 unit multifamily housing facility to be located at or near 405 South 4th Street, Nashville, Davidson County, Tennessee 37206 (the "Shelby House Project"). Shelby House 1, LP will be the owner and operator of the Shelby House Project to be financed with the proceeds of the Shelby House Bonds.
- The request of St. Mary's Senior, LP, a Tennessee limited partnership, for preliminary approval of the issuance of not to exceed \$45,000,000 multifamily housing revenue bonds, in one or more series (the "St. Mary's Bonds"), the proceeds of the sale thereof to be loaned to St. Mary's Senior, LP, to finance the acquisition, construction, and equipping of an approximately 214 unit senior living rental housing facility to be located at or near 301 White Bridge Pike, Nashville, Davidson County, Tennessee 37205 (the "St. Mary's Project"). St. Mary's Senior, LP will be the owner and operator of the St. Mary's Project to be financed with the proceeds of the St. Mary's Bonds.
- The request of Charter Village Preservation, L.P., a New York limited partnership, for preliminary approval of the issuance of not to exceed \$40,000,000 multifamily housing revenue bonds, in one or more series (the "Charter Village Bonds"), the proceeds of the sale thereof to be loaned to Charter Village Preservation, L.P., to finance the acquisition, rehabilitation, and equipping of an approximately 250 unit multifamily housing facility located at or near 333 Rio Vista Drive, Madison, Davidson County, Tennessee 37115 (the "Charter Village Project"). Charter Village Preservation, L.P. will be the owner and operator of the Charter Village Project to be financed with the proceeds of the Charter Village Bonds.
- The request of Elmington Capital Group, LLC for preliminary approval of a payment in lieu of tax agreement in connection with the construction of 118 units of multifamily housing at 75% AMI in a 296 unit development, to be located at or near 1430 Hillside Avenue, Nashville, Davidson County, Tennessee 37203.
- The request of The Clear Blue Company for preliminary approval of a payment in lieu of tax agreement in connection with the construction of 40 units of multifamily housing at 75% AMI in a 97 unit development, to be located at or near 301 Ben Allen Road, Nashville, Davidson County, Tennessee 37207.
- The request of Plunkett Development for preliminary approval of a payment in lieu of tax agreement in connection with the construction of 96 units of multifamily housing at 75% AMI in a 240 unit development, to be located at or near 612 Due West Avenue, Madison, Davidson County, Tennessee 37115.
- The request of Elmington Capital Group, LLC for preliminary approval of a payment in lieu of tax agreement in connection with the construction of 114 units of multifamily housing at 75% AMI in a 286 unit development, to be located at or near 583 Bell Road, Antioch, Davidson County, Tennessee 37013.
- The request of Giarratana, LLC for preliminary approval of a payment in lieu of tax agreement in connection with the construction of 100 units of multifamily housing at 75% AMI in a 250 unit development, to be located at or near 901 Dr. Martin L. King Jr. Boulevard, Nashville, Davidson County, Tennessee 37203.

Public hearings (pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended) ("TEFRA Hearings") will be held at the above scheduled meeting by the Board in connection with the issuance of the Ewing Heights Bonds and the location and nature of the Ewing Heights Project, the issuance of the Shelby House Bonds and the location and nature of the Shelby House Project, the issuance of the St. Mary's Bonds and the location and nature of the St. Mary's Project, and the issuance of the Charter Village Bonds and the location and nature of the Charter Village Project. At such public hearings there will be an opportunity for persons to express their views concerning the foregoing. Anyone may speak at such public hearings or submit written comments to be considered thereat. Persons wishing to participate should submit a written request to speak to Cynthia M. Barnett, counsel to the Board, at the below address at least 24 hours prior to the public hearings.

Additional information concerning the above may be obtained from, and written comments should be addressed to, Ms. Cynthia M. Barnett, Adams and Reese LLP, 1600 West End Avenue, Suite 1400, Nashville, Tennessee 37203, email cindy.barnett@arlaw.com, telephone number (615) 259-1454.

Stephen L. Meyer, Chairman

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