

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No: 8:20-cv-325-MSS-AEP

BRIAN DAVISON, BARRY M.
RYBICKI, EQUIALT LLC,
EQUIALT FUND, LLC, EQUIALT
FUND II, LLC, EQUIALT FUND III,
LLC, EA SIP, LLC, 128 E. DAVIS
BLVD, LLC, 310 78TH AVE, LLC,
551 3D AVE S, LLC, 604 WEST
AZELEE, 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, and TB OLDEST HOUSE EST.
1842, LLC,

Defendants.

ORDER

THIS CAUSE comes before the Court for consideration of the Receiver's Unopposed Thirteenth Motion to Approve Settlement of Investor Clawback Claim (the "Motion"). (Dkt. 805).

The Court, having reviewed the Motion, the exemplar Settlement Agreement, (Dkt. 333), the record in this action, noting that Plaintiff Securities and Exchange Commission does not object to the requested relief, and being otherwise fully advised in the premises, and finding it appropriate to approve the Motion, hereby **ORDERS** and **ADJUDGES** as follows:

1. The Motion, (Dkt. 805), is **GRANTED**. The Court finds that the Settlement Agreement is fair, adequate, and reasonable and is thus approved in its entirety.
2. The Receiver and Blake Mahler are authorized and directed to comply with the terms of the exemplar Settlement Agreement.
3. Blake Mahler is directed to pay the Receiver a total of \$34,667.00.
4. **Failure to comply with the terms of the Settlement Agreement may subject Blake Mahler to an immediate entry of judgment against him in the amount of \$34,667.00.**
5. The Receiver, James Bartusek, and Ann Bartusek are authorized and directed to comply with the terms of the exemplar Settlement Agreement.
6. James Bartusek and Ann Bartusek are directed to pay the Receiver a total of \$16,406.00.
7. **Failure to comply with the terms of the Settlement Agreement may subject James Bartusek and Ann Bartusek to an immediate entry of judgment against them in the amount of \$16,406.00.**

8. The Court shall retain jurisdiction to enforce the specific terms of the Settlement Agreements.

DONE and ORDERED in Tampa, Florida, this 6th day of March 2023.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record
Any Unrepresented Person