

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

Case No. 8:20-cv-00325-MSS-MRM

**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.

ORDER

THIS CAUSE comes before the Court for consideration of the Receiver’s Verified Unopposed Motion to Approve Private Sale of Commercial Real Property. (Dkt. 798) At the request of the Securities and Exchange Commission (“SEC”), the Court appointed the Receiver on February 14, 2020 and directed him, in relevant part, to “[t]ake immediate possession of all property, assets and estates of every kind of the Corporate Defendants and Relief Defendants,” which includes “all real property of the Corporate Defendants and Relief Defendants, wherever situated, and to administer

such assets as is required in order to comply with the directions contained in this Order.” (Dkt. 11)

The Receiver requests that the Court approve the sale of the real property located at 226 6th St. South, St. Petersburg, FL 33701, 551 3rd Ave. South, St. Petersburg, FL 33701, 543 3rd Ave. South, St. Petersburg, FL 33701, 533 3rd Ave. South, St. Petersburg, FL 33701, 3rd Ave. South, St. Petersburg, FL 33701, 511 3rd Ave. South, St. Petersburg, FL 33701, 3rd Ave. South, St. Petersburg, FL 33701, together with the 10th Lot as defined hereinbelow (as further described in the Contract, the “Property”) to Focus Acquisition Company LLC. (Dkt. 798) The SEC consents to the relief sought in the Motion and waives any right to appeal an Order granting this Motion. (Id.) The Receiver provided the Purchase and Sale Agreement for the Court’s review. (Dkt. 756-1).

Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

1. The Receiver’s Motion, (Dkt. 798), is **GRANTED**.
2. The Purchase of the Property located at 226 6th St. South, St. Petersburg, FL 33701, 551 3rd Ave. South, St. Petersburg, FL 33701, 543 3rd Ave. South, St. Petersburg, FL 33701, 533 3rd Ave. South, St. Petersburg, FL 33701, 3rd Ave. South, St. Petersburg, FL 33701, 511 3rd Ave. South, St. Petersburg, FL 33701, 3rd Ave. South, St. Petersburg, FL 33701 (“the Property”) is **APPROVED**. The Property’s legal description is as follows:

Parcel ID Number 19-31-17-74466-052-0110:

Lots 11, 12 and 13, Block 52, REVISED MAP OF THE CITY OF ST. PETERSBURG, according to the map or plat thereof, as recorded in Plat Book 1, Page(s) 49, of the Public Records of Hillsborough County, Florida, of which Pinellas County, Florida was formerly a part.

Parcel ID Number 19-31-17-74466-052-0140):

Lot 14, Block 52, Revised Map of the City of St. Petersburg, according to the map or plat thereof as recorded in Plat Book 1, Page 49, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

Parcel ID Number 19-31-17-74466-052-0150):

Lot 15, Block 52, Revised Map of the City of St. Petersburg, according to the map or plat thereof as recorded in Plat Book 1, Page 49, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

Parcel ID Number 19-31-17-74466-052-0160):

Lot 16, Block 52, Revised Map of The City of St. Petersburg, according to the map or plat thereof as recorded in Plat Book 1, Page 49, Public Records of Hillsborough County, Florida of which Pinellas County was formerly a part.

Parcel ID Number 19-31-17-74466-052-0170:

Lot 17, Block 52, of The Revised Map of the City of St. Petersburg, according to map or plat thereof recorded in Plat Book 1, page 49, of the public records of Hillsborough County, Florida of which Pinellas County was formerly a part.

Parcel ID Number 19-31-17-74466-052-0180:

Lots 18 and 19, Block 52, REVISED MAP OF ST. PETERSBURG, according to the Plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.


Parcel ID Number 19-31-17-74466-052-0200:

Lot 20, Block 52, Revised Map of the City of St. Petersburg, according to the map or plat thereof, recorded in Plat Book 1, Page 49, of the public records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

3. The Receiver is ordered to publish a notice consistent with Exhibit 5 in the Motion. If no Bona Fide Offers, as that term is defined in the Receiver's motion, are received within ten days of publication, this transaction should proceed to close within thirty (30) days.

4. If Bona Fide Offers are received within ten days of the publication, the Buyer shall have two days from the end of the notice period to make a competitive bid. Thereafter, within eight (8) days, the Receiver will provide his recommendation to the Court of the final buyer for the approved sale.
5. Upon the Court's ruling regarding the final buyer for the Property, closing shall occur within thirty (30) days.
6. Said transfer shall be free of any and all liens and encumbrances.

DONE and ORDERED in Tampa, Florida, this 8th day of March 2023.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

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Counsel of Record