

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

CASE NO. 8:20-cv-325-T-35AEP

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

BRIAN DAVISON,  
BARRY M. RYBICKI,  
EQUIALT LLC,  
EQUIALT FUND, LLC,  
EQUIALT FUND II, LLC,  
EQUIALT FUND III, LLC,  
and EA SIP, LLC,

Defendants,

and 128 E. DAVIS BLVD, LLC,  
310 78TH AVE, LLC,  
551 3D AVE S, LLC,  
604 WEST AZEELE, 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,

Relief Defendants.

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**AGREED JOINT MOTION FOR ADJOURNMENT OF RESPONSE TO OBJECTION  
TO MAGISTRATE'S REPORT AND RECOMMENDATION**

The undersigned counsel hereby files the Agreed Joint Motion for Adjournment of Evidentiary Hearing and states:

On March 21, 2023 [Docket Entry 860] the Honorable Magistrate Judge Mac R. McCoy issued a Report and Recommendation relating to a Motion to Modify Asset Freeze and Notice of Charging Lien. By Submission dated April 4, 2023 [Docket Entry 870] Defendant Brian Davison filed an Objection thereto. In order to accommodate a potential consensual resolution of the underlying issues, the parties jointly request that the undersigned's opposition to said Objection shall be adjourned until April 25, 2023.

This Motion is brought in good faith and is not intended to unduly delay proceedings in the above-styled action. This Motion is accompanied by a proposed Order attached hereto as Exhibit "A."

WHEREFORE, the undersigned, with the consent of all applicable parties, respectfully request that this Court adjourn the date by which the undersigned has to respond to the Objections filed as Docket Entry 870 to April 25, 2023.

LOCAL RULE 3.01(g) CERTIFICATE

Pursuant to Local Rule 3.01(g), counsel has conferred with current counsel for Mr. Davison, who joins in the requested relief.

Dated: New York, New York  
April 14, 2023

Respectfully submitted,  
Howard Fischer

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By: Howard Fischer  
HOWARD A. FISCHER  
New York Bar No. 2644052

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing has been filed via the Court's CM/ECF system, which will send an electronic copy of the foregoing and a notice of filing same to all counsel of record, on this 14th day of April, 2023.

  
Howard Fischer

**EXHIBIT “A”**

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Relief Defendants.

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**ORDER ON AGREED MOTION FOR ADJOURNMENT OF RESPONSE TO  
OBJECTION TO MAGISTRATE'S REPORT AND RECOMMENDATION**

THIS MATTER came before the Court upon consideration of the agreed application by Moses & Singer LLC to adjourn the date for its opposition to the April 4, 2023 Objection to the Magistrate's March 21, 2023 Report and Recommendation up to and including April 25, 2023 (the "Motion"), and the Court being advised of the agreement of the parties, it is hereby:

ORDERED and ADJUDGED that the Motion is GRANTED. Moses & Singer LLC shall have up to and including April 25, 2023 to submit its response to the April 4, 2023 Objection.

DONE AND ORDERED in Tampa, Florida this \_\_\_\_\_ day of April, 2023.

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HON. Mac R. McCoy  
UNITED STATES MAGISTRATE JUDGE