

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.

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**ORDER**


**THIS CAUSE** comes before the Court for consideration of the Receiver's Unopposed Seventeenth Motion to Approve Settlement of Investor Clawback Claim (the "Motion"). (Dkt. 868).

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. 868), is **GRANTED**. The Court finds that the Settlement Agreements are fair, adequate, and reasonable and are thus approved in their entirety.
2. The Receiver and Howard Eggers are authorized and directed to comply with the terms of the exemplar Settlement Agreement.
3. Howard Eggers is directed to pay the Receiver a total of \$10,000.
4. **Failure to comply with the terms of the Settlement Agreement may subject Howard Eggers to an immediate entry of judgment against him in the amount of \$10,000.**
5. The Receiver and Raymond Kerbaugh are authorized and directed to comply with the terms of the exemplar Settlement Agreement.
6. Raymond Kerbaugh is directed to pay the Receiver a total of \$500.
7. **Failure to comply with the terms of the Settlement Agreement may subject Raymond Kerbaugh to an immediate entry of judgment against them in the amount of \$500.**

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

**DONE** and **ORDERED** in Tampa, Florida, this 26th day of April 2023.



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MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

**Copies furnished to:**  
Counsel of Record  
Any Unrepresented Person