

**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.

**UNOPPOSED MOTION FOR WITHDRAWAL OF R. MAX MCKINLEY
AS COUNSEL FOR THE RECEIVER**

Pursuant to Middle District of Florida Local Rule 2.02(c), R. Max McKinley hereby files this motion (the “**Motion**”) to withdraw as counsel for the receiver, Burton W. Wiand (the “**Receiver**”). In support thereof, the undersigned states as follows:

R. Max McKinley, co-counsel for the Receiver, was previously an associate at Guerra King P.A. (“GK”). Mr. McKinley recently left GK to pursue other career opportunities, and thus he will no longer be representing the Receiver or otherwise involved in this case. However, lead counsel for the Receiver, Katherine C. Donlon, will continue to represent the Receiver.

Pursuant to Middle District of Florida Local Rule 2.02(c)(1)(B)(i), the undersigned conferred with the Receiver, who consented to the request to withdraw as counsel.

WHEREFORE, the undersigned respectfully requests that the Court grant the Motion and issue an order authorizing Mr. McKinley to withdraw as counsel for the Receiver.

3.01(g) CERTIFICATION

Counsel for the Receiver has conferred with counsel for the Securities and Exchange Commission and they do not object to the relief sought.

Dated: May 31, 2023

Respectfully submitted,

/s/ R. Max McKinley

R. Max McKinley, FBN 119556

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GUERRA KING P.A.

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Attorney for Receiver Burton W. Wiand

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 31, 2023, I electronically filed the foregoing with the Clerk of the Court and the parties of record by using the CM/ECF system.

/s/ R. Max McKinley