

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.

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**RECEIVER'S NOTICE OF LACK OF BONA FIDE OFFERS  
REGARDING THE SALE OF  
110 HICKORY HAMMOCK ROAD, LAKE WALES, FLORIDA 33859**

On July 13, 2023, Burton W. Wiand, as Receiver (the "**Receiver**") over the assets of the above-captioned corporate defendants and relief defendants,<sup>1</sup>

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<sup>1</sup> The ("**Receiver**" and the "**Receivership**" or "**Receivership Estate**") has been expanded to include the Corporate Defendants, Relief Defendants and the following entities: EquiAlt Qualified Opportunity Zone Fund, LP; EquiAlt QOZ Fund GP, LLC; EquiAlt Secured Income Portfolio REIT, Inc.; EquiAlt Holdings LLC; EquiAlt Property Management LLC; and EquiAlt Capital Advisors, LLC. *See* Doc. 184, at 6-7. *See also*, Doc. 284.

filed the Receiver’s Verified Unopposed Motion to Approve Private Sale of Real Property — 110 Hickory Hammock Road, Lake Wales, Florida (Doc. 963) (the “**Motion**” and the “**Property**”). The Motion is still pending.

A notice of sale was published on July 18, 2023, in *The Ledger-News Chief*, which is a newspaper that is regularly issued and of general circulation in the district where the Property is located. An affidavit of publication is attached as **Exhibit 1**. The Receiver files this notice to inform the Court that pursuant to 28 U.S.C. § 2001(b), no “bona fide offers” were received.

Respectfully submitted,

/s/ Katherine C. Donlon

Katherine C. Donlon, FBN 0066941

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*Attorneys for the Receiver Burton W.  
Wiand*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on July 31, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

**/s/ Katherine C. Donlon**

Katherine C. Donlon, FBN 0066941

# **EXHIBIT 1**

# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## PROOF OF PUBLICATION

Mary Gura  
Johnson Newlon & Decort Pa  
3242 Henderson BLVD # 210  
Tampa FL 33609-3094

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

07/18/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 07/18/2023

Legal Clerk

*Mitch Miller*

*Kaitlyn Felty*

Notary, State of WI, County of Brown

3/7/27

My commision expires

Publication Cost: \$129.33

Order No: 9057731

# of Copies:

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1

PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

KAITLYN FELTY  
Notary Public  
State of Wisconsin

## NOTICE OF SALE

110 Hickory Hammock Road  
Lake Wales, Florida 33859

LEGAL NOTICE: Pursuant to 28 U.S.C. § 2001, Burton W. Wiand, as the Court-appointed Receiver in SECURITIES AND EXCHANGE COMMISSION V. BRIAN DAVISON, et al., CASE NO. 8:20-CV-325-T-35MRM (M.D. Fla.), will conduct a private sale of the real property located at 110 Hickory Hammock Road, Lake Wales, Florida 33859 to Tracy Sempert and Lisa Barrett for \$185,000. The sale is subject to approval by the U.S. District Court. Pursuant to 28 U.S.C. § 2001, bona fide offers that exceed the sale price by 10% must be submitted to the Receiver within 10 days of the publication of this notice. All offers or inquiries regarding the property or its sale should be made to the Receiver at 114 Turner St. Clearwater, FL 33756. Telephone: (727) 235-6769.

Email:

Burt@BurtonWWiandPA.com.