

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No. 8:20-CV-325-T-35AUM

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.

**RECEIVER'S NOTICE OF LACK OF BONA FIDE OFFERS
REGARDING THE SALE OF
7320 E. SOLANO DRIVE, SCOTTSDALE, ARIZONA 85250**

On October 11, 2023, Burton W. Wiand, as Receiver (the "**Receiver**") over the assets of the above-captioned corporate defendants and relief defendants,¹ filed the Receiver's Verified Unopposed Time Sensitive Motion to

¹ 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

Approve Private Sale of Real Property — 7320 E. Solano Drive, Scottsdale, Arizona (Doc. 1021) (the “**Motion**” and the “**Property**”). The Court granted that Motion on October 12, 2023. (Doc. 1023)

A notice of sale was published on September 28, 2023, in *The Arizona Republic*, 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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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.

*Attorneys for the Receiver Burton W.
Wiand*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 16, 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

THE ARIZONA REPUBLIC

PO Box 194, Phoenix, Arizona 85001-0194

Phone 1-602-444-7315

Fax 1-877-943-0443

This is not an invoice

PNI-Arizona Republic

AFFIDAVIT OF PUBLICATION

**JOHNSON, CASSIDY, NEWLON &
DECORT
2802 N. HOWARD AVE
TAMPA, FL 33607**

NOTICE OF SALE
7320 E. Solano Drive
Scottsdale, Arizona 85250
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-35UAM (M.D. Fla.), will conduct a private sale of the property located at 7320 E. Solano Drive, Scottsdale, Arizona 85250 to Guy J. Tontl and Elizabeth A. Tontl for \$725,000. 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. Pub: Sept 28, 2023

This is not an invoice

Order # 0005834690 # of Affidavits: 1

P.O #

Issues Dated:

09/28/23

STATE OF WISCONSIN }
COUNTY OF BROWN } SS.

I, being first duly sworn, upon oath deposes and says: That I am the legal clerk of the Arizona Republic, a newspaper of general circulation in the counties of Maricopa, Coconino, Pima and Pinal, in the State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper in the issue(s) dated indicated.


Sworn to before me this

28 TH day of
SEPTEMBER 2023


Notary Public
My Commission expires: 9/19/25

VICKY FELTY
Notary Public
State of Wisconsin