

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No. 8:20-CV-325-MSS-UAM

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.

_____ /

NOTICE OF FILING

Burton W. Wiand, as Receiver over the assets of the captioned corporate and relief defendants, hereby files the attached Eleventh Circuit Order granting the parties' Notice of Settlement and Joint Motion for Limited Remand, related to an appeal taken by Robert Armijo in connection with this Court's approval of the Receiver's settlement with certain law firms and

associated Bar Order (Doc. 932) and the parties' subsequent settlement with Robert Armijo. (Doc. 1018)

Respectfully submitted,

/s/ Katherine C. Donlon

Katherine C. Donlon, FBN 0066941

kdonlon@jnd-law.com

JOHNSON, NEWLON & DeCORT P.A.

3242 Henderson Blvd., Ste 210

Tampa, FL 33609

Tel: (813) 291-3300

Fax: (813) 324-4629

and

Jared J. Perez, FBN 0085192

jared.perez@jaredperezlaw.com

JARED J. PEREZ, P.A.

301 Druid Rd. W

Clearwater, FL 33759

Tel: (727) 641-6562

Attorneys for Receiver Burton W. Wiand

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 1, 2023, I electronically filed the foregoing with the Clerk of this Court by using the CM/ECF system which will send notification of electronic filing to all counsel of record.

/s/ Katherine C. Donlon

ATTACHMENT

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-11979

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

BURTON W. WIAND,

Receiver-Appellee,
INVESTOR PLAINTIFFS',

PAUL WASSGREN,
FOX ROTHSCHILD LLP,
DLA PIPER LLP,

Movants-Appellees,

versus

BRIAN DAVISON, et al.,

Defendants,

2

Order of the Court

23-11979

ROBERT J. ARMIJO,

Movant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 8:20-cv-00325-MSS-MRM

Before JORDAN AND JILL PRYOR, Circuit Judges.

BY THE COURT:

The parties' Notice of Settlement and Joint Motion for Limited Remand is GRANTED. This appeal is remanded to the district court for the limited purpose of allowing the parties to obtain approval of their settlement and release from the district court.

This appeal is STAYED pending the limited remand.

Appellant is DIRECTED to file monthly status reports on the 15th of each month during the limited remand and to notify this Court when the district court disposes of the pending Receiver's Unopposed Motion to Approve Settlement with Robert Joseph Armijo, Joseph Financial Investment Advisors, LLC and Joseph Financial Inc.