

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

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
2816 CASON LANE, MURFREESBORO, TENNESSEE**

On December 13, 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 Motion to Approve

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

Private Sale of Real Property — 2816 Cason Lane, Murfreesboro, Tennessee (Doc. 1062) (the “**Motion**” and the “**Property**”). The Court granted the Motion on December 22, 2023. (Doc. 1074)

A notice of sale was published on December 15, 2023, in *The Tennessean*, 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

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

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.

and

Jared J. Perez, FBN 0085192
jared.perez@jaredperezlaw.com
Law Office of Jared J. Perez
301 Druid Rd. W
Clearwater, FL 33759
Tel: (727) 641-6562
*Attorneys for the Receiver Burton W.
Wiand*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 2, 2024, 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

AFFIDAVIT OF PUBLICATION

0005866295

Newspaper The Tennessean

State of Tennessee

Account Number NAS-0000005452

Advertiser JOHNSON NEWLON & DECORT PA

JOHNSON NEWLON & DECORT PA
3242 HENDERSON BLVD STE 210
TAMPA, FL
33609



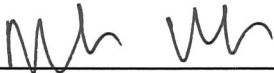
Sales Assistant for the above mentioned newspaper,

hereby certify that the attached advertisement appeared in said newspaper on the following dates:

12/15/23



Subscribed and sworn to before me this 15 day of Dec. 2023



Notary Public

exp. - 8-25-26

MARIAH VERHAGEN
Notary Public
State of Wisconsin

0005866295

NOTICE OF SALE

2816 Cason Lane,
Murfreesboro, Tennessee 37128

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 2816 Cason Lane, Murfreesboro, Tennessee 37128 to Brian and Cammie Ochs for \$455,000. 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@BurtonW WiandPA.com.