

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No. 8:20-cv-325-T-35 NHA

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 TO THE COURT
REGARDING SETTLEMENT FUNDS**

Comes now the Receiver Burton W. Wiand to notify the Court that the Receiver is in receipt of the settlement funds from DLA Piper and Fox Rothschild (\$44 million). (Doc. 917) As approved by this Court, the Receiver has paid \$5,000,000 in attorney's fees and \$268,607.79 in costs to Investors' Counsel. (Doc. 928)

Previously, the Court approved the Receiver's contingency arrangement with Special Counsel Johnson Pope. Upon the Court's approval of Special Counsel's pending Report and Motion for Fees and Costs (Doc. 1090), the Receiver will pay Johnson Pope \$4,318,261.67. Assuming approval of this amount to Special Counsel, the net amount to the Receivership from this settlement will be \$34,411,880.12:

Settlement with Law Firms		\$44,000,000.00
Investors Counsel		
Fees	\$5,500,000.00	
less contribution to Armijo settlement	-\$500,000.00	
Costs	\$268,607.79	
Total		\$5,268,607.79
Special Counsel		
Fees	\$4,400,000.00	
less contribution to Armijo settlement	-\$118,000.00	
Costs	\$37,512.09	
Total		\$4,319,512.09
Net to Receivership		\$34,411,880.12

The Receiver will soon be filing a motion to approve a second distribution to Receivership claimants, the bulk of which would come from the settlement proceeds. However, the Receiver does not intend to make any further distributions from the proceeds of the Law Firm settlement until his previously

approved obligations to the Special Counsel are approved by the Court (Doc. 1090) and have been paid.

Respectfully submitted,

/s/ Katherine C. Donlon

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Attorneys for Receiver Burton W. Wiand

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on March 12, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which served all counsel of record.

/s/ Katherine C. Donlon