

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

Case No. 8:20-cv-325-MSS-NHA

BRIAN DAVISON, et al.,

Defendants.

**DEFENDANT BRIAN DAVISON'S
MOTION TO DIRECT THE RECEIVER TO TURN OVER FUNDS HE
RECEIVED FROM TIFFANY & CO.**

Defendant Brian Davison moves to require the Receiver to turn over to him \$68,998.79 received from Brian Davison's account with Tiffany & Co. (the "Tiffany Funds"). Any requirement to turn over the Tiffany Funds depends on the outcome of the Coin Motions as defined below. If Davison prevails on the Coin Motions, the Receiver should be required to turn over the Tiffany Funds to him. Conversely, if the Receiver prevails on the Coin Motions, this motion should be denied.

The Coin Motions and subsequent proceedings are currently pending before the Court:

1. Doc. 767 – Receiver's Renewed Verified Motion for an Order to Show Cause Why Brian Davison Should Not Be Held in Contempt for Failure to Comply with the Court's Order;

2. Doc. 768 – Davison’s Renewed Motion to Alter or Amend the Final Judgment Pursuant to Fed. R. Civ. P. 60(b)(1) and 60(b)(5) (collectively the “Coin Motions”)¹;
3. Doc. 918 – Magistrate McCoy’s Report and Recommendation on the Coin Motions;
4. Doc. 923 – Receiver’s Objection to Report and Recommendation;
5. Doc. 925 – Defendant Brian Davison’s Objections to Report and Recommendation on Receiver’s Motion for Order to Show Cause and Davison’s Motion to Amend Judgment;
6. Doc. 930 – Defendant Brian Davison’s Response to Receiver’s Objection to Report and Recommendation; and
7. Doc. 933 – Receiver’s Response to Davison’s Objection to the Report and Recommendation.

The Court has not yet ruled on the Magistrate’s Report and Recommendation on the Coin Motions, or the Receiver or Davison’s Objections to the Report and Recommendation.

CONCLUSION

If Davison prevails on the Coin Motions, the Court should order the Receiver to turn the Tiffany Funds over to him.

¹ Davison incorporates and adopts the arguments contained in Docs. 768, 925 & 930 into this Motion.

LOCAL RULE 3.01(G) CERTIFICATION

I HEREBY CERTIFY that I have conferred with Counsel for the Receiver and for the SEC and **they oppose the relief sought in this Motion.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been filed via the Court's CM/ECF system on this 7th day of April 2025.

/s/ Stanley T. Padgett

Stanley T. Padgett, Esquire

Florida Bar No. 348686

PADGETT LAW, P.A.

100 S. Ashley Dr., Suite 600

Tampa, FL 33602

(813) 230-9098

(866) 896-7664 (Fax)

Email: spadgett@padgettlawpa.com

padgett813@gmail.com

tabitha@padgettlawpa.com

cassandra@padgettlawpa.com

Co-Counsel for Defendant,
Brian Davison