

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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

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

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 UNOPPOSED MOTION FOR LEAVE  
TO EXCEED THE PAGE LIMITATION FOR  
RECEIVER'S MOTION TO APPROVE THIRD INTERIM  
DISTRIBUTION, INCLUDING ADDITIONAL FUNDS**

Burton W. Wiand, as Receiver, moves the Court for an order pursuant to Local Rule 3.01(a) permitting him to file no more than 30 pages of argument and explanation (excluding items like captions, certifications or certificates, and exhibits) in support of his Motion to Approve Third Interim Distribution,

Including Additional Funds (the “**Third Distribution Motion**”). The Receiver requires the additional pages for the following reasons.

In the Third Distribution Motion, the Receiver will propose distributing more than 100% to both investor claimants and non-investor claimants. The first component of the proposed distribution will bring all claimants to 100% of their Allowed Amounts (as defined in the Receiver’s prior claims motions). The second component will involve equitably distributing additional funds to both investor claimants and non-investor claimants. As these groups of claimants are not similarly situated, the Receiver will recommend different measures for the distribution of additional funds to each group. Recovering 100% of claimants’ approved losses is a rare accomplishment, but additional pages are needed to discuss these different measures and other associated procedures.

Courts have previously granted the Receiver’s motions to exceed the page limitation in connection with claims motions. *See, e.g., C.F.T.C. v. Oasis International Group, Limited, et. al.*, Case No. 8:19-cv-00886-VMC-SPF (M.D. Fla. 2019); *S.E.C. v. Nadel et. al.*, Case No. 8:09-cv-00087-RAL-TBM, Docs. 1383, 1384 (M.D. Fla. 2019); *S.E.C. v. Nadel et. al.*, Case No. 8:09-cv-00087-RAL-TBM, Docs. 664, 665, 675, 776 (M.D. Fla. 2012).

WHEREFORE, the Receiver respectfully requests leave to file the Motion to Approve Third Interim Distribution, Including Additional Funds not

to exceed 30 pages of argument and explanation (excluding items like captions, certifications or certificates, and exhibits).

**LOCAL RULE 3.01(G) CERTIFICATE OF COUNSEL**

Counsel for the Receiver has conferred with counsel for the SEC and is authorized to represent to the Court that the SEC has no objection to the relief sought herein.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on May 19, 2025, I electronically filed a true and correct copy of the foregoing with the Clerk of the Court through the CM/ECF system, which served counsel of record.

**/s/ Jared J. Perez**

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