

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

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**Case No. 8:20-cv-00325-MSS-MRM**

**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.**

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**ORDER**

**THIS CAUSE** comes before the Court for consideration of the Receiver's Unopposed Motion to Approve Sale of Coins (the "Motion"). (Dkt. 1329). The Receiver requests the Court approve the marketing and sale of silver and gold coins in his possession via closed bids with local companies that trade in precious metals. (Id. at 1-2) The Receiver also moves for relief from the requirements of 18 U.S.C. §§ 2001

and 2004 in connection with the proposed manner of sale. (Id. at 2) The SEC and Davison do not object to the relief sought.<sup>1</sup>

The Receiver represents he has a total of 700 coins: 73 gold coins, 147 silver coins and an additional 480 silver coins turned over by Davison in lieu of the platinum coins promised. (Id. at 3) He alleges that the sale of the coins was previously delayed due to pending motions involving some of the coins but now seeks the Court's approval to proceed in light of favorable market conditions. (Id.) To that end, the Receiver proposes selling the entire collection together, rather than in individual lots, through a closed-bid auction to be conducted on a specific date. (Id. at 4) The Receiver represents that he has contacted a number of local vendors specializing in precious metals, at least three of whom have expressed interest in bidding on the coins. (Id. at 4) The Receiver also intends to publicize the closed bid auction on his website to allow additional interested parties to participate. (Id.) Under the proposed procedure, all interested parties will be instructed to electronically submit a closed bid for the entire bid collection on a specified date, with the highest bid prevailing. (Id.) In the event of a tie, the tied bidders will be invited to submit new bids on a later date until a winner is selected. (Id.)

The Receiver asserts that the proposed method of sale will conserve resources of the Receivership's Estate. (Id. at 6) The Receiver also contends that the proposed

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<sup>1</sup> The Receiver certifies that while Davison does not object to the sale of coins as described, he believes any proceeds derived would be subject to the arguments previously raised in the related motions pending before the Court. (Dkt. 1329 at 9)

process substantively complies with 18 U.S.C. §§ 2001 and 2004, and cites to cases that the Court has previously waived the requirement of holding an auction on courthouse steps. (Id. at 7-9)

Upon review of the relevant filings, the exhibit, the entire file, and being otherwise duly advised on the premises, the Court finds granting the Motion to be in the Receivership Estate's best interest.

Accordingly, it is hereby **ORDERED AND ADJUDGED** that:


1. Receiver's Unopposed Motion to Approve Sale of Coins, (Dkt. 1329), is **GRANTED**.

2. The Receiver is authorized to sell the silver and gold coins in the Receiver's possession via closed bids with local companies that trade in precious metals. This procedure provides the most expedient, efficient, and economical way to sell the silver and gold coins.

3. The Court authorizes the Receiver to proceed with the procedure outlined in the Motion to sell the coins, without obtaining appraisals or holding a hearing. However, the Court will require the Receiver publish formal legal notice of

the closed bid auction, giving the public an opportunity to participate in the closed-bid process.

**DONE** and **ORDERED** in Tampa, Florida, this 22nd day of July 2025.

  
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MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

**Copies furnished to:**  
Counsel of Record  
Any Unrepresented Person