

**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.

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**NOTICE OF FACTUAL DEVELOPMENT AFFECTING
RECEIVER'S PENDING MOTION TO
APPROVE THIRD DISTRIBUTION (DOC. 1326)**

On May 23, 2025, Burton W. Wiand, as Receiver over the assets of the Corporate and Relief Defendants, filed a Motion to Approve Third Interim Distribution, Including Additional Funds (Doc. 1326). This motion is still pending before the Court. In that motion, the Receiver is seeking approval to distribute \$20 million to approved claimants once the Receivership Estate reached a cash balance of \$25 million. At the time of filing the motion, the

Receivership Estate had not reached that threshold. However, given recent real estate closings and interest earned on the Receiver's accounts in July, the Receivership Estate has surpassed the \$25 million target to make the proposed distribution in the Receiver's motion.

Respectfully submitted,

s/ Katherine C. Donlon

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Attorney for the Receiver Burton W. Wiand

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 22, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. Counsel for Merrill Lynch is included in the service list for this case.

s/ Katherine C. Donlon
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