

**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.

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**RECEIVER'S UNOPPOSED MOTION FOR SCHEDULING
OF STATUS CONFERENCE**

Receiver Burton W. Wiand hereby requests that the Court schedule a Status Conference in this matter. In support of this request, the Receiver states as follows:

1. On February 14, 2020, this Court appointed Burton W. Wiand as Receiver in this case.

2. Since his appointment, the Receiver and his team have worked diligently to marshal the assets of the Receivership Entities and pursue legal claims in favor of the Receivership for the benefit of aggrieved victims of the underlying ponzi scheme.
3. Pursuant to the Court's request, Magistrate Adams held a status conference on February 11, 2026, to discuss the timeline for winding down the Receivership.
4. At the Magistrate's request, the Receiver submitted a proposed Report and Recommendation. However, the Magistrate did not adopt the Receiver's proposed language and instead entered a Report and Recommendation on March 20, 2026, recommending that the Receivership be wound down by year end. (Doc. 1405) The Receiver has objected to the conclusions of the Report and Recommendation. To date, the Court has not acted on the Report and Recommendation. The Receiver is pursuing liquidation as described in the Magistrate's recommendation.
5. As required by the Order Appointing the Receiver, the Receiver has submitted written quarterly reports to the Court. However, the Receiver believes that a Status Conference (either in person or via Zoom) will provide both the Court and the Receiver an opportunity to discuss the winding down of the Receivership, a final distribution, and

other matters including the pending issues/motions and matters listed below.:

- a. Motion for Order to Show Cause as to Why Defendant Brian Davison Should Not Be Held in Contempt and to Convert Davison's Unmet Obligations to a Money Judgment (Doc. 1415);
 - b. Amended Motion to Direct the Transfer of Davisons' Merrill Lynch Accounts (Doc. 1419);
 - c. Current plans for and progress in liquidating remaining assets including tax issues;
 - d. Plans for Distribution and current assets held by Receiver; and
 - e. Issues Relating to Closing of Receivership.
6. Pursuant to Local Rule 3.01, the Receiver has conferred with Alice Sum, counsel for the Securities and Exchange Commission, as to the relief requested, and the SEC does not object. Further, undersigned counsel has conferred with counsel for Brian Davison and counsel has no objection to the relief sought but would request that the status conference be held via Zoom.

Wherefore, the Receiver respectfully requests that the Court schedule a Status Conference in this case.

Respectfully submitted,

/s/ Katherine C. Donlon

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Attorneys for the Receiver Burton W.

Wiand

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 11, 2026, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

/s/ Katherine C. Donlon

Katherine C. Donlon, FBN 0066941