

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

BURTON WIAND, as  
Receiver for EquiAlt  
LLC, EquiAlt Fund,  
LLC, EquiAlt Fund II,  
LLC, EquiAlt Fund III,  
EA SIP, LLC, EquiAlt  
Secured Income Portfolio  
REIT,

Plaintiff,

Case No.: 8:21-cv-0361-SDM-AAS

v.

FAMILY TREE ESTATE  
PLANNING, LLC, et al.,

Defendants.

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**AMENDED NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE AS  
TO BARRY WILKEN, AGENTS INSURANCE SALES, BARRY NEAL,  
BENJAMIN MOHR, AND JOHN FRIEDRICHSEN**

Plaintiff Burton Wiand, as Receiver for EquiAlt LLC, EquiAlt Fund, LLC, EquiAlt Fund II, LLC, EquiAlt Fund III, LLC, and EA SIP, LLC, by and through his undersigned counsel, hereby amends his previous filing (Doc. 233), and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), stipulates with Defendants Barry Wilken, Agents Insurance Sales, Barry Neal, Benjamin Mohr and John Friedrichsen (“Defendants”) to the voluntary dismissal of his claims against Defendants with prejudice.

Respectfully submitted,

<p><b><u>/s/ Katherine C. Donlon</u></b> Katherine C. Donlon, FBN 0066941 <a href="mailto:kdonlon@jnd-law.com">kdonlon@jnd-law.com</a> Johnson, Newlon &amp; DeCort P.A. 3242 Henderson Blvd., Ste. 210 Tampa, FL 33609 Tel: (813) 291-3300 Fax: (813) 235-0462  <i>Counsel for Plaintiff</i></p>	<p><b><u>/s/ David P. Beitchman</u></b> David P. Beitchman, CA Bar No.: 198953 Andre Boniadi, CA Bar No.: 266412 <a href="mailto:dbeitchman@bzlegal.com">dbeitchman@bzlegal.com</a> <a href="mailto:aboniadi@bzlegal.com">aboniadi@bzlegal.com</a> Beitchman &amp; Zekian, P.C. 16130 Ventura Blvd., Ste. 570 Encino, CA 91436 Tel: (818) 986-9100 Fax: (818) 986-9119  Stephanie Biernacki Anthony, FBN: 0127299 <a href="mailto:santhony@anthonyandpartners.com">santhony@anthonyandpartners.com</a> Anthony &amp; Partners, LLC 100 S. Ashley Dr., Ste. 1600 Tampa, FL 33602 Tel: (813) 273-5616 Fax: (813) 221-4113  <i>Counsel for Defendants</i></p>
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 15, 2024, I electronically filed the foregoing with the Clerk of this Court by using the CM/ECF system which will send notification of electronic filing to all counsel of record.

**/s/ Katherine C. Donlon** \_\_\_\_\_