

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

ORDER

THIS CAUSE comes before the Court for consideration of the Receiver’s Unopposed Motion to Approve Transfer of Title to the Property Located at 413 W. 7th Street, Lakeland, Florida 33805 (the “Property”). (Dkt. 1217) At the request of the Securities and Exchange Commission (“SEC”), the Court appointed the Receiver on February 14, 2020 and directed him, in relevant part, to “[t]ake immediate possession of all property, assets and estates of every kind of the Corporate Defendants and Relief Defendants,” which includes “all

real property of the Corporate Defendants and Relief Defendants, wherever situated, and to administer such assets as is required in order to comply with the directions contained in this Order.” (Dkt. 11)

The Court previously approved the sale of the Property as part of an auction conducted by the Receiver. (Dkt. 977) The Property was sold at auction to Optimum Equity Partners LLC, and the Receiver requests that the Court approve the transfer of title of the Property to Optimum Equity Partners LLC. (Dkt. 1217) The SEC consents to the relief sought in the Motion and has waived any right to appeal this Order. (Id.) The Receiver provided the Terms and Procedures for Closing Auction Purchases for the Court’s review. (Dkt. 1217-1)


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

1. The Receiver’s Motion, (Dkt. 1217), is **GRANTED**.
2. Transfer of title to the Property located at 413 W. 7th Street, Lakeland, Florida 33805, better known as Polk County Property Appraiser’s Parcel Id Number (PIN): 23-28-12-055500-008170 to Optimum Equity Partners LLC is **APPROVED**. The Property’s legal description is as follows:

WASHINGTON PARK PB 1 PG 99 BLK 8 LOT 17

3. Said transfer shall be free of any and all liens and encumbrances.

DONE and ORDERED in Tampa, Florida, this 30th day of September 2024.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:

Counsel of Record

Any Unrepresented Person