

**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.

**RECEIVER'S NOTICE OF LACK OF BONA FIDE OFFERS
REGARDING THE SALE OF
303 EDNA MAY DRIVE, MURFREESBORO, TENNESSEE 37128**

On December 23, 2024, Burton W. Wiand, as Receiver (the “**Receiver**”) over the assets of the above-captioned corporate defendants and relief defendants,¹ filed the Receiver’s Verified Unopposed Motion to Approve

¹ The (“**Receiver**” and the “**Receivership**” or “**Receivership Estate**”) has been expanded to include the Corporate Defendants, Relief Defendants and the following entities: EquiAlt Qualified Opportunity Zone Fund, LP; EquiAlt QOZ Fund GP, LLC; EquiAlt Secured Income

Private Sale of Real Property — 303 Edna May Drive, Murfreesboro, Tennessee (Doc. 1267) (the “**Motion**” and the “**Property**”). The Court granted the motion on January 6, 2025. (Doc. 1268)

A notice of sale was published on December 27, 2024, in *The Tennessean*, which is a newspaper that is regularly issued and of general circulation in the district where the Property is located. An affidavit of publication is attached as **Exhibit 1**. The Receiver files this notice to inform the Court that pursuant to 28 U.S.C. § 2001(b), no “bona fide offers” were received.

Respectfully submitted,

/s/ Katherine C. Donlon

Katherine C. Donlon, FBN 0066941

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Attorneys for the Receiver Burton W.

Wiand

Portfolio REIT, Inc.; EquiAlt Holdings LLC; EquiAlt Property Management LLC; and EquiAlt Capital Advisors, LLC. *See* Doc. 184, at 6-7. *See also*, Doc. 284.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 6, 2025, 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

EXHIBIT 1



PO Box 631340 Cincinnati, OH 45263-1340

AFFIDAVIT OF PUBLICATION

____ Mary Gura
Johnson Newlon & Decort PA
3242 Henderson BLVD # 210
Tampa FL 33609-3094

STATE OF WISCONSIN, COUNTY OF BROWN

The Tennessean, a newspaper published in the city of Nashville, Davidson County, State of Tennessee, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue dated and was published on the publicly accessible website:

12/27/2024

and that the fees charged are legal.
Sworn to and subscribed before on 12/27/2024

Legal Clerk

Notary, State of WI, County of Brown

2/14/28

My commission expires

Publication Cost: \$408.86
Tax Amount: \$0.00
Payment Cost: \$408.86
Order No: 10884178 # of Copies:
Customer No: 1331139 1
PO #: 303 Edna May Dr - Mu

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KEEGAN MORAN
Notary Public
State of Wisconsin

10884178
NOTICE OF SALE
303 Edna May Drive,
Murfreesboro, Tennessee
37128

LEGAL NOTICE: Pursuant to 28 U.S.C. § 2001, Burton W. Wiand, as the Court-appointed Receiver in SECURITIES AND EXCHANGE COMMISSION V. BRIAN DAVISON, et al., CASE NO. 8:20-CV-325-T-35NHA (M.D. Fla.), will conduct a private sale of the property located at 303 Edna May Drive, Murfreesboro, Tennessee 37128 to Gary and Pamela Kendall for \$445,000. The sale is subject to approval by the U.S. District Court. Pursuant to 28 U.S.C. § 2001, bona fide offers that exceed the sale price by 10% must be submitted to the Receiver within 10 days of the publication of this notice. All offers or inquiries regarding the property or its sale should be made to the Receiver at 114 Turner St. Clearwater, FL 33756. Telephone: (727) 235-6769. Email: Burt@BurtonWWiandPA.com