

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 2853/June 24, 2015

ADMINISTRATIVE PROCEEDING
File Nos. 3-16311, 3-16312

In the Matters of

RELIANCE FINANCIAL ADVISORS, LLC, ORDER
TIMOTHY S. DEMBSKI, AND
WALTER F. GRENDA, JR.

SCOTT M. STEPHAN

The Securities and Exchange Commission instituted these proceedings on December 10, 2014. The hearing as to Respondents Timothy S. Dembski and Scott M. Stephan was held from May 11-14, and on May 18, 2015.

On June 15, 2015, I extended the deadline to file stipulations as to proposed findings of fact and conclusions of law to June 19, 2015. *Reliance Fin. Advisors, LLC*, Admin. Proc. Rulings Release No. 2816, 2015 SEC LEXIS 2402. I also reiterated my encouragement for the parties to make every effort to stipulate to as many facts as practicable, so that the disputed findings of fact and conclusions of law due on July 2, 2015, focus on the core issues truly in dispute. *Id.*

On June 19, 2015, Paul Batista, counsel for Respondent Timothy S. Dembski, sent this Office his (disputed) proposed findings of fact and conclusions of law. On June 23, 2015, Batista copied this Office on an email to the Division of Enforcement, noting that he has not received findings of fact and conclusions of law from the Division and that “[t]he apparent absence of any filing of Findings of Fact and Conclusions of Law from the SEC operates to hamper my ability to complete Mr. Dembski’s Post-Hearing Memorandum.” Moreover, Batista notes that he will be on vacation from July 2-14, 2015, and that “[n]o one can reasonably expect me to operate in the dark . . . in adequately preparing Mr. Dembski’s brief.”

As an initial matter, the parties are reminded that the proper means of communication with this Office is through a hardcopy filing with the Office of the Secretary pursuant to Rules of Practice 151 and 152. *See* 17 C.F.R. §§ 201.151, .152. Electronic courtesy copies of filings may be sent to alj@sec.gov. However, email does not substitute for the required hardcopy filing with

the Office of the Secretary. Batista is cautioned that future communications to this Office that do not comply with these requirements will be disregarded.

While Batista is commended on his efforts to comply with the deadlines I set, as I have pointed out in numerous orders, *stipulations* as to proposed findings of fact and conclusions of law, and *disputed* proposed findings of fact and conclusions of law, are distinct filings with distinct deadlines. See *Reliance Fin. Advisors, LLC*, 2015 SEC LEXIS 2402; Admin. Proc. Rulings Release No. 2792, 2015 SEC LEXIS 2291 (June 9, 2015); Admin. Proc. Rulings Release No. 2708, 2015 SEC LEXIS 2018 (May 21, 2015). The June 19 deadline applies only to *stipulations* as to proposed findings of fact and conclusions of law, not to *disputed* proposed findings of fact and conclusions of law. See *Reliance Fin. Advisors, LLC*, 2015 SEC LEXIS 2402. The deadline to file *disputed* findings of fact and conclusions of law is July 2, the same day initial post-hearing briefs are due. *Id.*; see *Reliance Fin. Advisors, LLC*, 2015 SEC LEXIS 2018. Thus, Batista's argument that his ability to complete the post-hearing brief without receiving the Division's disputed proposed findings of fact and conclusions of law in advance is hampered is not valid. Accordingly, I will not extend the deadline to file initial post-hearing briefs. However, to the extent Batista is requesting an extension to file his *responsive* post-hearing brief due July 24, 2015, based on his vacation from July 2-14, I grant the parties a one-week extension to July 31, 2015. *Reliance Fin. Advisors, LLC*, 2015 SEC LEXIS 2018.

Jason S. Patil
Administrative Law Judge