

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

ADMINISTRATIVE PROCEEDINGS RULINGS  
Release No. 4028/July 28, 2016

ADMINISTRATIVE PROCEEDING  
File No. 3-17352

In the Matter of

SAVING2RETIRE, LLC, and  
MARIAN P. YOUNG

ORDER POSTPONING  
HEARING AND SCHEDULING  
PREHEARING CONFERENCE

On July 19, 2016, the Securities and Exchange Commission issued an order instituting administrative and cease-and-desist proceedings (OIP) against Respondents Savings2Retire, LLC, and Marian P. Young. A hearing is currently scheduled to commence on August 22, 2016.

In view of the foregoing, I ORDER the following:

1. The hearing scheduled to begin on August 22, 2016, is POSTPONED and a telephonic prehearing conference will be held on August 18, 2016, at 3:00 p.m. EDT.

2. Prior to the prehearing conference, the parties must confer and discuss the date for the hearing in this matter, the most convenient location for the hearing, the prehearing schedule, and the matters listed in Rule of Practice 221(c). *See* 17 C.F.R. § 201.221(c). In doing so, the parties should bear the following in mind. First, 5 U.S.C. § 554(b) and 17 C.F.R. § 201.200(c) provide guidance regarding the location of the hearing. Second, Respondents have a right to a hearing between thirty and sixty days after service of the OIP. 15 U.S.C. § 80b-3(k)(2); *see* OIP at 4. If they exercise that right, the hearing in this matter will commence on a date to be determined within that time period.

3. If Respondents do not exercise their right to a hearing within sixty days of service of the OIP, the parties should note that on July 13, 2016, the Commission adopted new Rules of Practice which will take effect sixty days after they are published in the Federal Register. *See* Amendments to the Commission's Rules of Practice, Exchange Act Release No. 78319, 2016 WL 3853756 (July 13, 2016), <https://www.sec.gov/rules/final/2016/34-78319.pdf>. In the release announcing the new rules, the Commission provided that for proceedings initiated between July 13, 2016, and the effective date of the new rules, the parties may elect that the new rules should apply. *See id.* at \*30 & n.184. If the parties elect to apply the new rules, the hearing in this

matter will take place between four and ten months after service of the OIP.<sup>1</sup> *See id.* at \*5. If the parties do not elect to apply the new rules, the current Rules of Practice will govern this proceeding and the hearing in this matter will take place approximately four months after service of the OIP. *See* 17 C.F.R. § 201.360(a)(2).

4. By August 11, 2016, the parties should submit a joint letter, filed consistent with Rules of Practice 151 and 152, addressing:

- a) the results of their discussion;
- b) whether Respondents wish to exercise their right to begin the hearing between thirty and sixty days of service of the OIP;
- c) which version of the Rules of Practice they have elected should apply; and
- d) the date or dates they propose when the hearing should begin.

5. The Division of Enforcement should promptly notify this office when Respondents or their counsel are served with the OIP. Service on an individual is complete upon delivery. 17 C.F.R. § 201.141(a)(2)(i). The parties may stipulate to a service date in their joint letter.

The parties are asked to e-mail PDF text-searchable courtesy copies of any filings in this proceeding to [alj@sec.gov](mailto:alj@sec.gov).

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James E. Grimes  
Administrative Law Judge

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<sup>1</sup> The Commission has explained that cases in which hearings are set to take place ten months after service of the OIP “should be the exception rather than the norm.” Amendments to the Commission’s Rules of Practice, 2016 WL 3853756, at \*5 n.18. Unless this proceeding is substantially more complex than the OIP suggests, the parties should discuss possible hearing dates closer to the four-month end of the spectrum rather than the ten-month end.