

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

Administrative Proceedings Rulings
Release No. 6062 / September 21, 2018

Administrative Proceeding
File Nos. 3-17253 and 3-17342

In the Matters of

**RD Legal Capital, LLC, and
Roni Dersovitz**

**James A. Winkelmann, Sr., and
Blue Ocean Portfolios, LLC**

Order Affirming Assignments

On August 22, 2018, the Securities and Exchange Commission ordered that each proceeding affected by the Supreme Court's decision in *Lucia v. SEC*, 138 S. Ct. 2044 (2018), be assigned for new hearing before an administrative law judge who had not previously participated in the proceeding, unless the parties expressly agreed to alternative procedures. *Pending Admin. Proc.*, Securities Act of 1933 Release No. 10536, 2018 SEC LEXIS 2058. My assignment order of September 12, 2018, did not assign A.P. File Nos. 3-17253 and 3-17342. *Pending Admin. Proc.*, Admin. Proc. Rulings Release No. 5955, 2018 SEC LEXIS 2264 (ALJ).

Judge Jason S. Patil was assigned to A.P. File No. 3-17253 on September 7, 2016. He conducted a six day hearing and issued an initial decision on March 20, 2017. When considering the matter on remand, Judge Patil noted that Respondents had submitted new evidence and that "[t]he parties' filings raise issues that will take time to resolve." *James A. Winkelmann, Sr.*, Admin. Proc. Rulings Release No. 5593, 2018 SEC LEXIS 466 (ALJ Feb. 14, 2018). In a letter dated September 7, 2018, counsel for Respondents, with the Division of Enforcement's consent, elected to proceed before Judge Patil and waived any claim or entitlement to a new hearing before another administrative law judge or the Commission.

Judge Patil was assigned to A.P. File No. 3-17342 on March 9, 2017. He conducted a twenty-four day hearing in March and April 2017. In a letter

dated September 7, 2018, the parties elected to proceed before Judge Patil and waived any claim or entitlement to a new hearing before another administrative law judge or the Commission.

Considering the wishes of the parties, the age of these proceedings, and my belief that Judge Patil has prepared decisions that are close to being issued, I AFFIRM his designation as the administrative law judge assigned to preside at these two proceedings.

Brenda P. Murray
Chief Administrative Law Judge