

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

Administrative Proceedings Rulings
Release No. 6634 / July 19, 2019

Administrative Proceeding
File No. 3-18061

In the Matter of

**Retirement Surety LLC,
Crescendo Financial LLC,
Thomas Rose,
David Leeman, and
David Featherstone**

Scheduling Order

The parties jointly proposed a procedure and schedule for the resolution of this proceeding in a letter dated July 18, 2019. I adopt the parties' proposals. Based on the parties' agreement and the Commission's order on the continuation of proceedings,¹ I will determine the remaining issues on the basis of the written record without a hearing. Each remaining Respondent has acknowledged and waived the right to call witnesses or cross-examine witnesses whose written testimony the Division of Enforcement will present. And the parties have waived any claim on appeal that determining the outcome on the basis of a written record without an in-person hearing was error.

Respondents may submit a supplemental brief and any additional evidence about their ability to pay by August 19, 2019. The Division may submit a responsive supplemental brief by September 13, 2019.

¹ See *Retirement Surety LLC*, Securities Act of 1933 Release No. 10436, 2017 WL 5437486, at *7 (Nov. 14, 2017) (“[T]he hearing officer may, in his discretion, determine the issues raised in the additional proceedings on the basis of the written record, without a hearing.”).

James E. Grimes
Administrative Law Judge