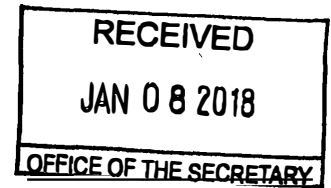


HARD COPY



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
BROOKFIELD PLACE, 200 VESEY STREET, SUITE 400  
NEW YORK, NY 10281-1022



MICHAEL D. BIRNBAUM  
TELEPHONE: (212) 336-0523  
EMAIL: BIRNBAUMM@SEC.GOV

January 5, 2018

Via Email and UPS Overnight Delivery

Hon. Jason S. Patil  
Administrative Law Judge  
U.S. Securities and Exchange Commission  
100 F Street, NE  
Mail Stop 1090  
Washington, DC 20549

Re: Matter of RD Legal Capital, LLC, et al. File No. 3-17342

Dear Judge Patil:

On November 30, 2017, the Commission issued an order ratifying the prior appointment of its administrative law judges to preside over administrative proceedings. *See In re: Pending Administrative Proceedings*, Securities Act Release No. 10440 (Nov. 30, 2017). As applied to this proceeding, the order directs the administrative law judge to determine, based on a de novo reconsideration of the full administrative record, whether to ratify or revise in any respect all prior actions taken by any administrative law judge during the course of this proceeding. *Id.* at 1-2.

It is well established that subsequent ratification of an earlier decision rendered by an unconstitutionally appointed officer remedies any alleged harm or prejudice caused by the violation. *See Doolin Sec. Sav. Bank, F.S.B. v. Office of Thrift Supervision*, 139 F.3d 203, 213-14 (D.C. Cir. 1998); *FEC v. Legi-Tech, Inc.*, 75 F.3d 704, 707-09 (D.C. Cir. 1996). And that principle applies whether or not the ratifying authority is the same person who made the initial decision, so long as “the ratifier has the authority to take the action to be ratified,” and, “with full knowledge of the decision to be ratified,” makes a “detached and considered affirmation of th[at] earlier decision.” *Advanced Disposal Services East, Inc. v. NLRB*, 820 F.3d 592, 602-03 (3d Cir. 2016).

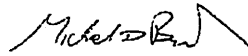
Accordingly, to implement this remedy, the administrative law judge should conduct a de novo review of the administrative record, engage in an independent evaluation of the merits through the exercise of detached and considered judgment, and then determine whether prior actions should be ratified and thereby affirmed. This process ensures “that the ratifier does not blindly affirm the earlier decision without due consideration.” *Advanced Disposal Services East*, 820 F.3d at 602-03.

Hon. Jason S. Patil

January 5, 2018  
Page 2

The Division submits that the previous decisions issued by an administrative law judge in this proceeding should be ratified. To that end, the Division attaches a proposed draft order to this letter.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Michael D. Birnbaum". The signature is stylized with a large, sweeping initial "M" and a long, horizontal stroke extending to the right.

Michael D. Birnbaum

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-17342**

**In the Matter of**

**RD LEGAL CAPITAL, LLC and**  
**RONI DERSOVITZ,**

**Respondents.**

**[PROPOSED] ORDER**

After a de novo review and reexamination of the record in these proceedings, I have reached the independent decision to ratify and affirm all prior actions made by an administrative law judge in these proceedings. This decision to ratify and affirm is based on my detached and considered judgment after an independent evaluation of the merits.

By:

\_\_\_\_\_  
Jason S. Patil  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 5<sup>th</sup> day of January 2018, the attached Division of Enforcement's letter to Administrative Law Judge Jason S. Patil and accompanying proposed order were served on the following counsel of record and other persons entitled to notice:

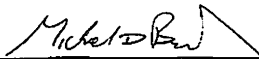
**Via Facsimile and UPS Overnight Delivery**

Securities and Exchange Commission  
Office of the Secretary  
100 F Street, N.E.  
Mail Stop 1090  
Washington, DC 20549

**Via Email (per agreement)**

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\_\_\_\_\_  
Michael D. Birnbaum