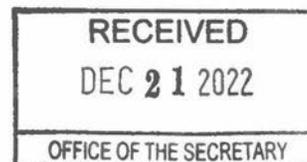


UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION



ADMINISTRATIVE PROCEEDING
File No. 3-17352

In the Matter of

SAVING2RETIRE, LLC, AND
MARIAN P. YOUNG,

Respondents.

RESPONDENTS SAVING2RETIRE, LLC
AND MARIAN P. YOUNG'S RESPONSE
IN OPPOSITION TO THE DIVISION OF
ENFORCEMENT'S MOTION TO STAY
PROCEEDINGS

Respondents, Saving2Retire ("S2R") and Marian P. Young ("Young") (collectively, "Respondents"), submit this response in opposition to the motion to stay proceedings by the Division of Enforcement ("Division") of the Securities and Exchange Commission ("Commission") on the following reasons:

1. The Division wants a motion to stay this proceedings based on the legal outcome of *Jarkesy v. SEC*; it is impossible to know *when and if* this challenge becomes settled law. Will it take another 2 years? Or perhaps 4 years? This uncertainty amounts to Division asking for an indefinite stay as a resolution to this proceedings, where the party penalized by more delays is only Respondents. Yes, the trajectory of the outcome *Jarkesy v. SEC* and the arguments on the unconstitutional use of ALJS that is being established by the courts is important to the Final Decision in Respondents proceedings. There are many other factors that beg for an immediate end to this proceedings.
2. The Division is stating that *Jarkesy v. SEC* is the primary factor for consideration in the determination and resolution for Respondent's proceedings which is not true. The Division

knows full well they are under investigation for their improper access to the in-house judges notes of the cases they are prosecuting. The Commission calls this a control deficiency while some in the legal community call this intrusion an illegal and improper breach in protocol that imperiled the due process rights of those accused by Division. (Bloomberg Aug 3, 2022, When the SEC Prosecutor Is Your Judge, Scandals Surely Follow). *Even lay persons know if you enter an unlock door and take property that does not belong to you, you are still legally and morally guilty of a crime.* Let's dig a little deeper here; what we know: "The Commission Statement Relating to Certain Administrative Adjudications, ("Statement" April 5, 2022) named two of the cases improperly accessed; SEC v Cochran, No. 21-1239(S. Ct) and Jarkey v. SEC, No 20-61007(5th Cir.). The Statement says there are *other* cases affected and will release those finding as soon as they are able to do so. We also know from the Statement that the Commission has hired experienced investigators and forensic analysts to get to the bottom of everyone at this Division of Enforcement who accessed the judiciary material. *Get this: The Commission needs an outside forensic team because this Enforcement Division is not forthcoming and truthful in disclosing their involvement.* How can this Division be trusted to fairly enforce any laws when they are breaking the law themselves?

Was Respondent's case improperly accessed by Division? Respondents case started in the same time frame as both Cochran and Jarkey. Did Division violate Respondents constitutional right to a fair due process of law by illegally accessing privileged document relating to its case? This Enforcement Division knows the answer to that question! While the Office of Inspector

General (“Statement on the SEC’s Management and Performance Challenges, October 13, 2022”), waits for the finding of the Commission report, the legal community waits, and Respondents waits. We are waiting on a forensic report for this group of professionals; what does that say about their credibility? If the Commission can not trust this Division of Enforcement; how can anyone else trust them?

My mother had a saying when we were children “ *what you do in the dark, always comes to light*”

Perfect is the Enemy of Good

Yes, there are a number of mitigating factors in the Final Decision for Respondents.

How is justice served by waiting for one factor, the outcome of *Jarkesy v SEC*? Enduring lengthy proceeding are more punishment on Respondents who have already endured lost of business, opportunity costs, lost of retirement financial health and physical health.

Division has not been forthcoming in its involvement in accessing the judiciary privileged records or how long illegal activities have persisted.

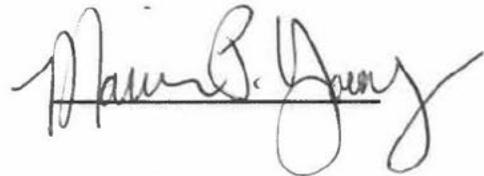
This is a tainted Division of Enforcement whose judgement and credibility has proven to be lacking. Division knows right from wrong just like any child; yet they willfully involved themselves in conduct that taints their reputation for trust and shows an indifference to the due process rights of those they select for prosecution. A tainted Division with tainted cases; this alone is enough for immediate dismissal of the proceedings against Respondents.

For these reasons, Respondents request that the motion to stay be denied and the proceedings against Respondents be immediately dismissed.

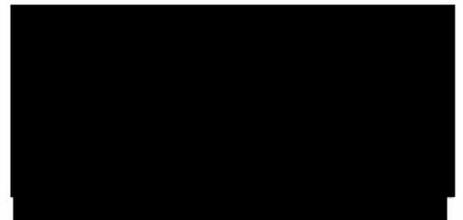
An inscription on the walls of the Department of Justice, just outside the door to the Attorney General's office, expresses sentiments: "The United States wins its point whenever justice is done its citizens in the courts."

DATED: December 15, 2022

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Marian P. Young". The signature is written in black ink and is positioned above a horizontal line.

Marian P Young, Respondent Pro Se



CERTIFICATE OF SERVICE

In accordance with Rule 150 of the Commission's Rules of Practice, I hereby certify that on December 15, 2022, I served a true and correct copy of the foregoing document on the following persons by the method indicated:

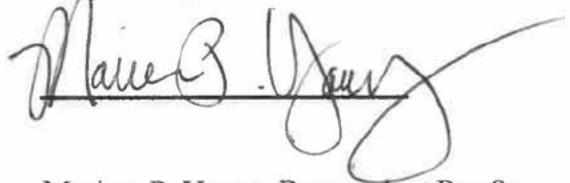
By USPC

Office of the Secretary
Securities and Exchange Commission
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By USPS

Jennifer Reece
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United States Securities and Exchange Commission
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Fort Worth, TX 76102
Direct phone: 817-978-6442
Fax: 817-978-4927

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marian P. Young", written over a horizontal line.

Marian P Young, Respondent Pro Se

