

otherwise becomes effective pursuant to Section 11A of the Act and Rule 608 thereunder.

## II. Effectiveness of the OLPP Amendment

The foregoing OLPP amendment has become effective pursuant to Rule 608(b)(3)(iii)<sup>10</sup> because it has been designated by the sponsors as involving solely technical or ministerial matters. At any time within sixty days of the filing of the amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,<sup>11</sup> if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

## III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the amendment is consistent with the Act. Comments may be submitted by any of the following methods:

### Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number 4-443 on the subject line.

### Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File Number 4-443. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the plan that are filed with the Commission, and all written communications relating to the plan between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will

be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at MIA X Emerald's principal office. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number 4-443, and should be submitted on or before March 28, 2019.

By the Commission.

**Eduardo A. Aleman,**

*Deputy Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85230; File No. 4-698]

### Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Plan Governing the Consolidated Audit Trail To Add MIA X Emerald LLC, as a Participant

March 1, 2019.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 608 thereunder,<sup>2</sup> notice is hereby given that on February 21, 2019, MIA X Emerald, LLC ("MIA X Emerald" or "Exchange") filed with the Securities and Exchange Commission ("Commission") an amendment to the Plan Governing the Consolidated Audit Trail ("Plan").<sup>3</sup> The amendment adds MIA X Emerald as a Participant to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

### I. Description and Purpose of the Amendment

The amendment to the CAT NMS Plan adds MIA X Emerald as a Participant.<sup>4</sup> The CAT NMS Plan

<sup>1</sup> 15 U.S.C. 78k-1(a)(3).

<sup>2</sup> 17 CFR 242.608.

<sup>3</sup> The Commission approved the CAT NMS Plan on November 16, 2016. See Securities Exchange Act Release No. 79318, 81 FR 84695 (November 23, 2016).

<sup>4</sup> See Section 1.1 of the CAT NMS Plan. The term "Participant" is defined in the CAT NMS Plan as any Person that becomes a Participant as permitted by this Agreement, in such Person's capacity as a Participant in the Company (it being understood that the Participants shall comprise the "members"

provides that any Person<sup>5</sup> approved by the Commission as a national securities exchange or national securities association under the Exchange Act may become a Participant by submitting to the Company a completed application in the form provided by the Company.<sup>6</sup> As a condition to admission as a Participant, said Person shall: (i) Execute a counterpart of the CAT NMS Plan, at which time Exhibit A shall be amended to reflect the status of said Person as a Participant (including said Person's address for purposes of notices delivered pursuant to the CAT NMS Plan); and (ii) pay a fee to the Company as set forth in the Plan (the "Participation Fee").<sup>7</sup> The amendment to the Plan reflecting the admission of a new Participant shall be effective only when: (x) It is approved by the Commission in accordance with Rule 608 or otherwise becomes effective pursuant to Rule 608; and (y) the prospective Participant pays the Participation Fee.<sup>8</sup>

MIA X Emerald has executed a copy of the current CAT NMS Plan, amended to include MIA X Emerald in the List of Parties (including the address of MIA X Emerald), paid the applicable Participation Fee and provided each current Plan Participant with a copy of the executed and amended Plan.<sup>9</sup>

### II. Effectiveness of the Proposed Linkage Plan Amendment

The foregoing Plan amendment has become effective pursuant to Rule 608(b)(3)(iii)<sup>10</sup> because it has been designed by the sponsors as involving solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate

of the Company (as the term "member" is defined in Section 18-101(11) of the Delaware Act)). The term "Company" is defined in the CAT NMS Plan as the CAT NMS, LLC, which is the company jointly owned by the Participants responsible for creating, operating and maintaining the CAT. See Preamble and Recitals to the CAT NMS Plan.

<sup>5</sup> See Section 1.1 of the CAT NMS Plan. The term "Person" is defined as means any individual, partnership, limited liability company, corporation, joint venture, trust, business trust, cooperative or association and any heirs, executors, administrators, legal representatives, successors and assigns of such Person where the context so permits.

<sup>6</sup> See Section 3.3 of the CAT NMS Plan. MIA X Emerald was approved as a national securities exchange on December 13, 2016. See Securities and Exchange Act Release No. 84891, 83 FR 67421 (December 28, 2018)(File No. 10-233).

<sup>7</sup> See Section 3.3 of the CAT NMS Plan.

<sup>8</sup> *Id.*

<sup>9</sup> See Letter from Barbara J. Comly, Executive Vice President, General Counsel, and Corporate Secretary, dated February 19, 2019, to Brent J. Fields, Secretary, Commission.

<sup>10</sup> 17 CFR 242.608(b)(3)(iii).

<sup>10</sup> 17 CFR 242.608(b)(3)(iii).

<sup>11</sup> 17 CFR 242.608(b)(1).

the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,<sup>11</sup> if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

### III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the amendment is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number 4-698 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File Number 4-698. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549-1090, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from

comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number 4-698 and should be submitted on or before March 28, 2019.

By the Commission.

**Eduardo A. Aleman,**  
*Deputy Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Securities Exchange Act of 1934; Release No. 85227/March 1, 2019]

### Notice of Intent To Cancel Registration of Certain Municipal Advisors Pursuant to Section 15b(C)(3) of the Securities Exchange Act of 1934

Notice is given that the Securities and Exchange Commission (the "Commission") intends to issue an order or orders, pursuant to Section 15B(c)(3) of the Securities Exchange Act of 1934 (the "Act"), cancelling the registrations of municipal advisors whose names appear in the attached Appendix, herein referred to as the "registrants".

Section 15B(c)(3) of the Act provides, in pertinent part, that if the Commission finds that any municipal advisor registered under Section 15B is no longer in existence or has ceased to do business as a municipal advisor, the Commission, by order, shall cancel the registration of such municipal advisor. The Commission finds that each registrant listed in the attached Appendix (i) has not made any municipal advisor form submissions to the Commission through the Commission's Electronic Data Gathering and Retrieval ("EDGAR") system since 1/1/2016, and/or (ii) does not have an associated person, for whom there is a Form MA-I available on EDGAR, who is qualified, under Municipal Securities Rulemaking Board (MSRB) Rule G-3, to lawfully engage in municipal advisory activities. Accordingly, the Commission finds that each of the registrants listed in the attached Appendix is either (i) no longer in existence or (ii) has ceased to do business as a municipal advisor.

Notice is also given that any interested person may, by April 1, 2019, at 5:30 p.m. Eastern Time, submit to the Commission in writing a request for a hearing on the cancellation of the registration of any registrant listed in the attached Appendix, accompanied by a statement as to the nature of such person's interest, the reason for such

person's request, and the issues, if any, of fact or law proposed to be controverted, and the writer may request to be notified if the Commission should order a hearing thereon. Any such communications should be addressed to the SEC's Secretary at the address below.

At any time after April 1, 2019, the Commission may issue an order or orders cancelling the registrations of any or all of the registrants listed in the attached Appendix, upon the basis of the information stated above, unless an order or orders for a hearing on the cancellation shall be issued upon request or upon the Commission's own motion. Persons who requested a hearing, or to be advised as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. Any registrant whose registration is cancelled under delegated authority may appeal that decision directly to the Commission in accordance with Rules 430 and 431 of the Commission's rules of practice (17 CFR 201.430 and 431).

**ADDRESSES:** *The Commission:* Secretary, U.S. Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

**FOR FURTHER INFORMATION CONTACT:** Ahmed Abonamah, Senior Counsel to the Director, at 202-551-5680; U.S. Securities and Exchange Commission, Office of Municipal Securities, 100 F Street NE, Washington, DC 20549.

For the Commission, by the Office of Municipal Securities, pursuant to delegated authority.<sup>1</sup>

**Eduardo A. Aleman,**  
*Deputy Secretary.*

### Appendix

SEC ID No.	Full legal name
867-01224 .....	Aureus Partners, Inc.
867-01674 .....	BBC Consulting LLC.
867-01163 .....	Benecke Robert.
867-01889 .....	BRANDYWINE INVESTMENT SECURITIES, LLC.
867-01050 .....	Braun Research Consulting, LLC.
867-01722 .....	DENNING & COMPANY LLC.
867-00750 .....	Evergreen Capital Advisors, Inc.
867-00802 .....	Financial Consulting Solutions Group, Inc.
867-01653 .....	Frontera Consultants RGV, LLC.

<sup>11</sup> 17 CFR 242.608(a)(1).

<sup>1</sup> 17 CFR 200.30-3a(a)(1)(ii).