



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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**IN THE MATTER OF
DOUGLAS JOHN ELEY**

Wendy Berman, Vice-Chair and Chair of the Panel

File No. 2020-35

October 16, 2020

ORDER

(Sections 8 and 21.7 of the
Securities Act, RSO 1990, c S.5)

WHEREAS on October 16, 2020, the Ontario Securities Commission held a hearing by teleconference in relation to the application brought by Douglas John Eley ("**Eley**") (the **Application**) to review decisions of the Investment Industry Regulatory Organization of Canada (**IIROC**) dated January 28, 2020 and October 6, 2020, respectively (the **IIROC Decisions**) and the motion brought by Eley for a stay of the IIROC Decisions pending the disposition of the Application (the **Stay Motion**);

ON READING the Application and on hearing the submissions of the representatives for Eley, Staff of IIROC and Staff of the Commission, and on considering the consent of all parties to a stay of the IIROC Decisions pending the disposition of the Stay Motion;

IT IS ORDERED THAT:

1. the IIROC Decisions are stayed pending the disposition of the Stay Motion, or further order of the Commission;
2. the hearing of the Stay Motion is scheduled for November 9, 2020 at 10:00 a.m., by videoconference, or on such other date or time as may be agreed to by the parties and set by the Office of the Secretary;
3. the parties shall adhere to the following timeline for the delivery of materials for the Stay Motion:
 - a. Staff of IIROC shall serve and file any responding affidavits by no later than October 19, 2020;
 - b. Eley shall serve and file any reply affidavits and a memorandum of fact and law by no later than October 22, 2020;
 - c. Staff of IIROC shall serve and file a memorandum of fact and law by no later than October 27, 2020; and
 - d. Staff of the Commission shall serve and file a memorandum of fact and law by no later than October 29, 2020;
4. the hearing of the Application is scheduled for January 14 and 15, 2021, by videoconference, commencing at 10:00 a.m. on each hearing day, or on such other

- dates or times as may be agreed to by the parties and set by the Office of the Secretary;
5. the parties shall adhere to the following timeline for the delivery of materials for the Application:
- a. Eley shall ensure that the record of the original proceeding is served and filed by no later than November 23, 2020;
 - b. by no later than November 30, 2020:
 - i. the parties shall give notice of any intention to rely on documents or things not included in the record of the original proceeding, and shall disclose such documents or things; and
 - ii. the parties shall serve and file witness lists and give notice of any intention to call an expert witness, if any, and shall serve (but not file) summaries of the anticipated evidence of any witnesses;
 - c. Eley shall serve and file his hearing brief, if any, and written submissions by no later than December 11, 2020;
 - d. Staff of IIROC shall serve and file their hearing brief, if any, and responding written submissions by no later than December 23, 2020;
 - e. Staff of the Commission shall serve and file written submissions by no later than January 4, 2021; and
 - f. Eley shall serve and file reply written submissions, if any, by no later than January 8, 2021; and
6. an attendance is scheduled for December 4, 2020 at 10:00 a.m., by teleconference, or on such other dates or times as may be agreed to by the parties and set by the Office of the Secretary.

"Wendy Berman"

Wendy Berman