

**IN THE MATTER OF**  
**SEAN DALEY; and SEAN DALEY carrying on business as the ASCENSION**  
**FOUNDATION, OTO.Money, SilentVault, and CryptoWealth; WEALTH**  
**DISTRIBUTED CORP.; CYBERVISION MMX INC.; KEVIN WILKERSON;**  
**and AUG ENTERPRISES INC.**

**MOTION**  
**OF STAFF OF THE ONTARIO SECURITIES COMMISSION**  
(For Extension of a Temporary Order  
Subsections 127(8), 127(9) and 127(1) of the *Securities Act*, RSO 1990, c S.5)

**A. ORDER SOUGHT**

Staff of the Ontario Securities Commission (**Staff**), request with notice that the Ontario Securities Commission (the **Commission**) make the following order:

1. An order extending the Temporary Order of the Commission made with respect to Sean Daley; Daley carrying on business as the Ascension Foundation, OTO.Money, SilentVault, and CryptoWealth; Wealth Distributed Corp. (**Wealth Distributed**); Cybervision MMX Inc. (**CyberVision**); Kevin Wilkerson; and Aug Enterprises Inc. (**Aug Enterprises**), dated August 6, 2019, to the day of the public release of the sanctions and costs decision in File No. 2019-39 involving Sean Daley and Kevin Wilkerson, or such date as the Commission considers appropriate in the public interest, pursuant to subsections 127(1) and (8) of the Securities Act, RSO 1990, c S.5 (the **Act**);
2. An order scheduling this Motion to be heard on October 26, 2021 or on such other date and time as may be agreed by the parties and set by the Office of the Secretary;
3. If necessary, an order abridging the time required for service pursuant to Rules 3 and 4(2) of the Ontario Securities Commission Rules of Procedure; and
4. Such other Order as the Commission considers appropriate in the public interest.

**B. GROUNDS**

The grounds for the request are:

5. In July 2018, Staff commenced an investigation into Daley, Ascension Foundation, OTO.Money, SilentVault, and CryptoWealth;

6. During the course of the investigation. Staff found evidence that Daley; Daley carrying on business as Ascension Foundation, OTO.Money, SilentVault, and CryptoWealth; Wealth Distributed; Cybervision; Wilkerson; and Aug Enterprises appeared to be trading or acting in furtherance of trades without being registered to trade and without a prospectus having been filed and receipted contrary to sections 25 and 53 of the Act, respectively;

7. On August 6, 2019, the Commission issued a temporary order (the **Temporary Order**).

8. The Temporary Order provided that:

- a. all trading in any securities by Daley, and Daley carrying on business as Ascension, OTO.Money, SilentVault, and CrvptoWealth.com. and Wealth Distributed, Cybervision, Wilkerson, and Aug Enterprises shall cease;
- b. all trading in 'overcome the odds' vouchers, also known as OTO.Vouchers and Lyra shall cease;
- c. any exemptions contained in Ontario securities law do not apply to Daley; Daley carrying on business as Ascension, OTO.Money, SilentVault, and CryptoWealth, and Wealth Distributed, Cybervision, Wilkerson, and Aug Enterprises;
- d. the Temporary Order shall take effect on August 6, 2019 and shall expire on the 15th day after its making unless extended by order of the Commission;

9. The Temporary Order was further extended by the Commission on several more occasions:

- a. on August 16, 2019, the Commission extended the Temporary Order to September 24, 2019;
- b. on September 24, 2019, the Commission extended the Temporary Order to November 8, 2019;
- c. on November 6, 2019, the Commission extended the Temporary Order to February 14, 2020;
- d. on February 12, 2020, the Commission extended the Temporary Order until April 4, 2020;
- e. on March 20, 2020, in light of the COVID-19 pandemic, the Commission extended the Temporary Order to a date to be determined;

- f. on May 25, 2020, the Commission extended the Temporary Order until July 11, 2020;
- g. on July 10, 2020, the Commission extended the Temporary Order until September 15, 2020;
- h. on September 14, 2020, the Commission extended the Temporary Order until the issuance of the Commission's decision on Staff's motion to further extend the Temporary Order;
- i. on October 19, 2020, the Commission extended the Temporary Order until the end of the merits hearing in File No. 2019-39;
- j. on July 14, 2021, the Commission extended the Temporary Order until September 15, 2021;
- k. on September 15, 2021, the Commission extended the Temporary Order until the fourteenth day following the date of the Reasons and Decision in the merits hearing in File No. 2019-39.

10. On April 12, 14, 15, 16, and 19, 2021, June 15, 2021, and July 14, 2021, the Commission heard the evidence portion of the merits proceeding in File No. 2019-39 by videoconference. Mr. Daley submitted no evidence during the evidence portion of the merits proceeding and Mr. Wilkerson did not appear.

11. On October 12, 2021, the Commission issued the Reasons and Decision in File No. 2019-39. In the Reasons and Decision, the Commission concluded that Daley and Wilkerson obstructed Staff's investigation and that this conduct engaged the animating principles of the Act, was abusive of the capital markets, and was inconsistent with the public interest. The Commission ordered a sanctions and costs hearing pursuant to s. 127 of the Act.

12. It is in the public interest to extend the Temporary Order until sanctions against Daley and Wilkerson have been issued in File No. 2019-39.

13. Staff seek to extend the Temporary Order made on August 6, 2019 until the public release of the sanctions and costs decision in File No. 2019-39.

14. Subsections 127(1), 127(8) and 127(9) of the Act.

15. Such further and other grounds as counsel may advise and the Commission may permit.

## **C. EVIDENCE**

Staff intends to rely on the following evidence at the hearing:

16. The previously-filed Affidavits of Kevin Dusseldorp dated August 7, 2019, October 23, 2019, January 31, 2020, September 4, 2020, and June 30, 2021;
17. The record in File No. 2019-39.

**DATED** this 19th day of October, 2021

**ONTARIO SECURITIES COMMISSION**

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**Staff of the Enforcement Branch**