



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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Toronto ON M5H 3S8

File No.:

IN THE MATTER OF

**STRIKE HOLDINGS INC., KM STRIKE MANAGEMENT INC.,
MICHAEL AONSO AND KEVIN CARMICHAEL**

MOTION OF STAFF

OF THE ONTARIO SECURITIES COMMISSION

(For Extension of a Temporary Order Under Subsections 127(8) and 127(1)
of the *Securities Act*, RSO 1990 c S.5)

A. ORDER SOUGHT

The Applicant, Staff of the Ontario Securities Commission (**Staff**), requests that the Ontario Securities Commission (the **Commission**) make the following orders:

1. An Order extending the Temporary Order of the Commission dated May 31, 2021 signed by Commissioner and Vice-Chair of the Panel, Berman, at a Hearing conducted on May 31, 2021, made with respect to Strike Holdings Inc., (**Strike Holdings**), KM Strike Management Inc., (**KMSM**), Michael Aonso (**Aonso**) and Kevin Carmichael (**Carmichael**) for an additional six months, expiring on June 2, 2022, pursuant to subsection 127(8) of the *Securities Act*, RSO 1990, c S.5 (the **Act**).
2. 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
3. Such other Order as the Commission considers appropriate in the public interest.

B. GROUNDS

The grounds for the request are:

1. In July 2020, Staff commenced an investigation into Strike Holdings, KMSM, Aonso and Carmichael;
2. During the course of the investigation, Staff found evidence that Strike Holdings, KMSM, Aonso and Carmichael appeared to have traded securities without registration and without an exemption to the registration requirement, and without a prospectus having been filed or receipted and without an applicable exemption to the prospectus requirement contrary to subsections 25(1) and 53(1) of the Act, respectively;
3. Staff are also investigating whether Strike Holdings, KMSM, Aonso and Carmichael have engaged in a course of conduct relating to securities that they know, or reasonably ought to know, perpetrated a fraud on any person or company, contrary to subsection 126.1(1)(b) of the Act;
4. On April 21, 2021, the Commission issued a temporary Order (the **Temporary Order**);
5. The Temporary Order provided that:
 - (a) pursuant to clause 2 of subsection 127(1) of the Act, all trading in any securities by Respondents shall cease;
 - (b) pursuant to clause 3 of subsection 127(1) of the Act, that the exemptions contained in Ontario securities law do not apply to the Respondents; and
 - (c) pursuant to subsection 127(6) of the Act, that the order shall take effect immediately and shall expire on the 15th day after its making unless extended by order of the Commission;
6. On May 3, 2021 the Temporary Order was extended by the Commission pursuant to subsection 127(8) and paragraph 2 of subsection 127(1) of the Act until June 2, 2021.

7. On May 31, 2021 the Temporary Order was further extended by the Commission pursuant to subsection 127(8) and paragraph 2 of subsection 127(1) of the Act until December 2, 2021.

8. The investigation into the conduct described in the Temporary Order and this Application is continuing;

9. The Order sought by Staff is necessary to protect investors from serious and ongoing harm and is in the public interest;

10. The Respondents Strike Holdings, KMSM and Mr. Carmichael have consented to the extension request. The Respondent, Mr. Aonso takes no position with respect to the Applicant's motion.

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

C. DOCUMENTS TO BE RELIED UPON

The Applicant intends to rely on the following evidence at the Hearing:

1. Subsections 127(1) and 127(8) of the Act;
2. The Affidavit of Wayne Vanderlaan, to be filed; and
3. Such further evidence as counsel may advise and the Commission may permit.

Date: November 12, 2021

**STAFF OF THE ONTARIO SECURITIES
COMMISSION**

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