



# Capital Markets Tribunal Practice Guideline

(As of April 29, 2022)



Ontario

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# 1. Application

This Practice Guideline applies to proceedings before a Panel of the Capital Markets Tribunal.

## 2. Filing Documents

### (1) Merits Hearing for an Enforcement Proceeding

The merits hearing in an enforcement proceeding, except an inter-jurisdictional enforcement proceeding, shall be an e-hearing. Each Party shall provide its hearing brief to the Registrar electronically and shall follow the *Protocol for E-Hearings* that is attached as Appendix A.

### (2) All Other Hearings

In a hearing other than an e-hearing pursuant to subsection (1) above, each Party shall file the Party's documents both electronically and in paper in accordance with the *Rules of Procedure and Forms*. Five copies of a paper filing shall be filed with the Registrar. A Party who files a document or thing shall,

- (a) if the document or thing is filed electronically and
  - (i) the file size is 50MB or less, send it by email to the address: [registrar@osc.gov.on.ca](mailto:registrar@osc.gov.on.ca); or
  - (ii) the file size exceeds 50MB, deliver it on physical media (e.g. DVD, CD, USB flash drive, external hard drive, or other method approved by the Registrar) to the address in (b) below; or
- (b) if the document or thing is filed in paper, deliver it by mail, facsimile transmission (if under 25 pages), courier or personal delivery to:

Ontario Securities Commission  
20 Queen Street West, 22<sup>nd</sup> Floor  
Toronto, Ontario  
M5H 3S8  
Fax: 416-593-2318  
Attention: Registrar, Governance & Tribunal Secretariat

### (3) Request for Confidentiality Orders for Part of a Document

A person requesting an order that part of a document be confidential and not available to the public shall file a copy of the original document with the part the person is

requesting be confidential redacted, together with the original unredacted document if it has not already been filed.

#### (4) Format of Electronic Filings

A Party who files an electronic document (including text and image/picture documents) shall file it in multi-page Portable Document Format (PDF) that allows full text searching. Statements of Allegation, Amended Statements of Allegation, Applications, Motions, Notices of Withdrawal and Settlement Agreements shall also be filed in Microsoft Word format.

#### (5) Authorities

Each Party shall file a book of authorities containing copies of Commission decisions, court decisions and other legal authorities referred to in the Party's submissions that the Party intends to rely on. Any passages that the Party wishes to refer to should be clearly marked, high-lighted or side-barred. If a Party is relying on an authority contained in the Commission's Book of Authorities, the Party shall include in its book of authorities the first page and any other pages of the authority the Party wishes to refer to, with passages clearly marked, highlighted, or side-barred.

### 3. Personal Information

#### (1) Obligation to Limit Disclosure of Personal Information

Each Party shall use reasonable efforts to limit disclosure of personal information to information that is necessary for the disposition of a matter and shall redact documents that the Party intends to enter into evidence accordingly. The obligation to limit disclosure of personal information extends not only to documents the Party intends to enter into evidence, but also to Statements of Allegation, Motions, written submissions and affidavits.

#### (2) Personal Information

In this Practice Guideline, "personal information" means recorded information about an identifiable individual, including but not limited to an individual's:

- (a) social insurance number, driver's license number, passport number, license plate number, and Ontario Health Insurance Plan number (or other similar health plan number);
- (b) date of birth;
- (c) municipal address, including street name, street number and postal code (but not city or province);

- (d) telephone number; and
- (e) bank account number and trading account number (including a joint account).

“Personal information” does not include an individual’s name, except for the name of a minor child, or the title, contact information or designation or an individual in a business, professional or official capacity.

### (3) Personal Information of Respondents

For the sake of clarity, it is not expected that personal information of a respondent that is relevant to the disposition of a matter be redacted.

## 4. Language of Proceedings

### (1) Choice of Language for Conduct of Proceedings

A Party may request that a Panel conduct a hearing wholly or partly in French by serving and filing a written notice with the Registrar as soon as possible and, in any event, at least 60 days before the hearing.

### (2) Language of Application

If a Party to a proceeding brought by Staff requests that the proceeding be conducted wholly or partly in French, Staff shall serve and file, as soon as possible, a French translation of the Statement of Allegations or the Application, as the case may be.

### (3) Notice of Hearing

Parties to a proceeding have the right to receive the Notice of Hearing in either English or French upon request.

### (4) Communications with the Tribunal

The Tribunal will communicate and provide all of its correspondence, orders and decisions in the language of the proceeding as requested by the Parties, and the Parties may change their language of choice by notifying the Registrar in writing. Where at least one Party uses French and at least one Party uses English, Tribunal correspondence will be provided in both languages or will be translated.

### (5) Evidence at the Hearing

Parties, witnesses and counsel participating in a hearing may submit evidence or written submissions either in English or in French. These documents will form part of the record in the language in which they are submitted.

## (6) Translation of Evidence

The Tribunal has no obligation to translate documentary evidence. A Party may bring a motion requesting translation into English or French of documentary evidence that is necessary for a fair determination of a matter.

## (7) Translation of Transcripts

The Tribunal has no obligation to translate hearing transcripts. However, the Commission may, at its discretion, provide English or French translation of hearing transcripts.

## (8) Decisions and Reasons

Tribunal decisions and reasons will be issued in the language of the hearing. If a hearing is conducted in both English and French, Tribunal decisions and reasons will be issued in both languages.

# 5. Enforcement Proceedings

## (1) Proceeding Management

A Panel will impose a timeline for attendances and other steps in enforcement proceedings to ensure that proceedings are conducted in a just, expeditious and cost-effective manner. Parties are encouraged to address matters as expeditiously as possible. The outside limits for the timeline are set out below, subject to the discretion of the Panel:

Stage of the Proceeding:	Timeline:
<b>First Attendance</b> A timeline will be set for: <ul style="list-style-type: none"><li>• Disclosure of documents and things and service of witness lists and summaries and notices of intent to call expert witnesses; and</li><li>• Any additional interlocutory matters, including subsequent attendances.</li></ul>	On the date set in the Notice of Hearing, which should occur within 30 days of the issuance of the Notice of Hearing
<b>Staff's Disclosure of Relevant Documents</b> Staff shall disclose to each respondent non-privileged relevant documents and things in the possession or control of Staff.	No later than 30 days after the First Attendance

Stage of the Proceeding:	Timeline:
<p><b>Disclosure Motion by a Respondent</b> A respondent may serve and file a Motion regarding Staff’s disclosure or seeking disclosure of additional documents.</p>	No later than 10 days before the Second Attendance
<p><b>Staff’s Witness List, Summaries of Evidence, and Intention to Call Experts</b> Staff shall:</p> <ul style="list-style-type: none"> <li>• File and serve a witness list, and serve a summary of each witness’s anticipated evidence on each respondent; and</li> <li>• Indicate any intention to call an expert witness. If Staff intends to call an expert witness, it shall provide the expert’s name and state the issues on which the expert will give evidence.</li> </ul>	No later than five days before the Second Attendance
<p><b>Second Attendance</b> A motion by a respondent regarding Staff’s disclosure will be heard or scheduled for a subsequent date. Other interlocutory motions, if any, will be scheduled.</p>	No later than 120 days after the First Attendance
<p><b>Respondent’s Witness List, Summaries of Evidence, and Intention to Call Experts</b> Each respondent shall:</p> <ul style="list-style-type: none"> <li>• File and serve a witness list, and serve a summary of each witness’s anticipated evidence on Staff, including for a witness that is a Party; and</li> <li>• Indicate any intention to call an expert witness. If a respondent intends to call an expert witness, the respondent shall provide the expert’s name and state the issues on which the expert will give evidence.</li> </ul>	No later than 30 days before the Third Attendance
<p><b>Third Attendance</b></p> <ul style="list-style-type: none"> <li>• Dates will be set for: <ul style="list-style-type: none"> <li>○ the merits hearing; and</li> <li>○ the provision of expert reports including expert reports in response and in reply.</li> </ul> </li> <li>• Further interlocutory motions may be held or scheduled.</li> </ul>	No later than 60 days after the Second Attendance
<p><b>Exchange of Hearing Briefs</b> Each Party shall serve every other Party with a hearing brief containing copies of the documents, and identifying the other things, that the Party intends to produce or enter as evidence at the merits hearing.</p>	No later than 10 days before the Final Interlocutory Attendance



Stage of the Proceeding:	Timeline:
<p><b>E-hearing Checklist</b> Each Party shall provide to the Registrar a completed copy of the <i>E-hearing Checklist for the Hearing on the Merits</i> provided in Appendix B, which is not an Adjudicative Record and will not be available to the public.</p>	<p>No later than five days before the Final Interlocutory Attendance</p>
<p><b>Final Interlocutory Attendance</b></p> <ul style="list-style-type: none"> <li>• Each Party shall advise the Panel of any issue with respect to authenticity or admissibility of a document in a hearing brief.</li> <li>• Outstanding interlocutory issues will be addressed.</li> </ul>	<p>No later than 30 days before the Merits Hearing</p>
<p><b>Electronic Documents and Index Files</b> Each Party shall provide to the Registrar the electronic documents that the Party intends to rely on or enter into evidence at the merits hearing, along with an Index File, in accordance with the <i>Protocol for E-Hearings</i> that is attached as Appendix A. An electronic document provided to the Registrar will only be seen by the Panel if the document is subsequently offered into evidence.</p>	<p>No later than five days before the Merits Hearing</p>

## 6. Hearing and Review Proceedings

### (1) First Attendance

At the first attendance in a hearing and review proceeding, the Panel will impose a timeline for subsequent attendances and, if applicable, for the following:

- (a) service and filing by the applicant of the record of the original proceeding;
- (b) notice of intention to rely on documents or things not included in the record of the original proceeding;
- (c) disclosure of documents or things not included in the record of the original proceeding;
- (d) disclosure of witness lists and summaries;
- (e) notices of intention to call expert witness;
- (f) any other interlocutory matter, including motions;
- (g) subsequent attendance for proceeding management;
- (h) filing hearing briefs;
- (i) filing written submissions; and
- (j) hearing the application.

## (2) Record of Original Proceeding

The record referred to in clause (1)(a) above includes:

- (a) the application or other document by which the original matter was commenced;
- (b) any Notice of Hearing;
- (c) interim orders;
- (d) documentary evidence filed in the original proceedings;
- (e) other relevant documents in the original proceeding on which the applicant will reply;
- (f) any transcript of oral evidence; and
- (g) the decision that is the subject of the request for a hearing and review, including any reasons for the decision.

## 7. All Other Proceedings

### (1) First Attendance

At the first attendance in a proceeding other than an enforcement proceeding and a hearing and review proceeding, the Panel will impose a timeline, if applicable, for the following:

- (a) disclosure of documents and things;
- (b) disclosure of witness lists and summaries;
- (c) notice of intention to call an expert witness;
- (d) any other interlocutory matter, including motions;
- (e) subsequent attendances for proceeding management;
- (f) filing dealings for written submissions; and
- (g) hearing the application.

## 8. Motions

### (1) Timing

The following timelines apply for filing motion materials:

- (a) at least 10 days before a motion date, the moving Party shall serve and file the Motion and motion record as prescribed in the *Rules of Procedures and Forms*;

- (b) at least six days before the motion date, the responding Party shall serve and file any responding affidavits;
- (c) at least four days before the motion date, the moving Party shall serve and file:
  - (i) any reply affidavits; and
  - (ii) a memorandum of fact and law;
- (d) at least two days before the motion date, the responding Party shall serve and file a memorandum of fact and law.

If a Party fails to comply with these time limits or other time limits ordered by a Panel, a Panel may dispose of the motion as it considers appropriate.

## (2) Cross-Examination

A Party who files an affidavit shall make the affiant reasonably available for cross-examination by any adverse party before the motion.

## (3) Evidence

A Panel may by order, before or at a hearing, require or permit oral testimony and cross-examination of an affiant at the hearing of the Motion.

# Appendix A – Protocol for E-Hearings

The merits hearing in an enforcement proceeding will proceed as an e-hearing. In an e-hearing, the documents that the Parties intend to enter into evidence are provided electronically to the Registrar and then displayed electronically on screens and monitors during the hearing.

This document sets out the protocol and electronic document requirements for e-hearings. Any questions may be sent to the Registrar at [registrar@osc.gov.on.ca](mailto:registrar@osc.gov.on.ca).

In advance of an e-hearing, the Parties are required to provide the following items to the Registrar:

Required Item	Timeline for Delivery
1. E-Hearing Checklist	Five days before the Final Interlocutory Attendance
2. Hearing Brief	Five days before the start of the e-hearing
3. Index File	Five days before the start of the e-hearing

The timelines for delivery are guided by the Practice Guideline and may be varied by the Panel.

## 1. E-HEARING CHECKLIST

The E-Hearing Checklist (see Appendix B) must be filed **five days before the Final Interlocutory Attendance**. It assists the Registrar with the logistics of the e-hearing.

The E-Hearing Checklist is not an Adjudicative Record and will not be available to the public.

The following information may assist with the completion of the checklist:

### OSC PORTAL

Software is installed on OSC laptops in the hearing rooms to enable Parties to access the OSC Portal. The OSC Portal is a database on a closed network environment, which holds the hearing documents. At the e-hearing, Parties will retrieve documents from the OSC Portal, open them and then display them on the public screens in the hearing room.

The OSC Portal can only be accessed on OSC laptops and is only for use in the hearing rooms, on hearing days.

## **LAPTOP ACCESS**

### **Permanent IT Equipment Set-Up in Each Hearing Room**

Each hearing room is equipped with at least two laptops that are connected to the A/V system (one for Staff and one for respondents) that displays content to the public screen and to the monitors in front of the Panel and in front of the Parties. If there are more than two Parties, additional laptops can be connected to the A/V system.

If a Party requires additional laptops beyond those provided in the permanent IT equipment set-up, a request can be made on the E-Hearing Checklist (see Appendix B).

## **PERSONAL LAPTOPS**

A Respondent may use their own personal laptop with a cellular/mobile internet connection (e.g. rocket stick or mobile phone hotspot). A personal laptop cannot be used to access the OSC Portal and cannot be used to display content on hearing room screens.

## **INTERNET ACCESS**

There is no WIFI access in the hearing rooms.

Each OSC laptop can be equipped with internet access in the hearing room, upon request on the E-Hearing Checklist (see Appendix B). A request can also be made to obtain internet access on a personal laptop through the E-Hearing Checklist.

## **NAVIGATIONAL CONTROL**

The set-up in the hearing rooms allows for a witness to have navigational control of the documents being displayed on the A/V system, while also allowing the party examining the witness to have control. Requests for witnesses to be given navigational control should be indicated on the E-Hearing Checklist (see Appendix B).

## **VIDEO-CONFERENCING**

Each hearing room has a Video Conference System.

If a witness will be testifying by video-conference, indicate the following information on the E-Hearing Checklist: the witness' name, the witness' location, anticipated date and time for the witness' testimony, the contact name and phone number at the video conferencing facility the witness will be attending, the witness' contact phone number, the facility IP address, and whether document sharing will be required to display documents to the remote witness. OSC IT staff will test the connection in advance of the hearing day and assist with establishing the connection on the day of the hearing.

## DOCUMENT SHARING

If a witness is testifying by video-conference, electronic document sharing may be possible.

For video-conferencing, this depends on the technology capabilities of the video conferencing facility. A request can be made on the E-Hearing Checklist at Appendix B if the Party would like to use electronic document sharing. In the alternative, Parties can provide a witness testifying by video-conference with a hard copy of the documents ahead of time.

## 2. HEARING BRIEF

Each Party shall provide its Hearing Brief to the Registrar electronically, along with the Index File, at least five days before the start of the e-hearing.

The Hearing Brief must contain all of the documents that the Party intends to enter into evidence at the hearing, so that they can be displayed on the screens and monitors in the hearing room during the hearing.

An electronic document provided to the Registrar will only be seen by the Panel if the document is subsequently offered into evidence.

### FORMAT OF DOCUMENTS IN ELECTRONIC HEARING BRIEF

All documents (including text and image/picture documents) shall be provided as multi-page Portable Document Formatted (PDF) or PDF/A documents with embedded underlying Optical Character Recognition (OCR) text. For scanned documents, the PDF document must be processed using OCR software and the PDF must be searchable using full text searching. All PDF documents must be PDF version 1.7 or later, with a scanned image resolution of at least 300 dpi.

Documents must be accessible, readable, printable and free of computer viruses, malware, Trojan horses or other items of a destructive nature. If any such item is detected, the document will be rejected and deemed not to have been received. The Registrar will request that the document be disinfected or recreated and then resubmitted.

### ALTERNATIVE DOCUMENT FORMATS

Any issues with the preparation of documents in the format prescribed by this Protocol must be raised with the Registrar at least 10 days before the start of the hearing to ensure that arrangements can be made to open and view the alternative format document in the hearing room. For instance, a document may exist in a format that cannot be converted to a PDF. The Registrar will determine what document formats

are acceptable for the hearing.

When alternative document formats are permitted by the Registrar, the list of documents requiring alternative document formats, including paper copies, must be included in the E-Hearing Checklist at Appendix B

## **REDACTING DOCUMENTS**

Redactions of PDF documents must remove the embedded underlying OCR text. Simply blacking out the text is not sufficient. Various software products may be used for redactions. Consult your software's manual for specifics about redacting and removing embedded underlying OCR text. As a general guideline:

- Use the software redaction tool to block out the confidential text;
- Finalize/burn-in all redactions;
- Ensure the underlying OCR text is removed;
- Re-OCR the document; and
- Review the document to ensure that the redacted text does not show up in the OCR text.

## **PROVIDING ELECTRONIC DOCUMENTS TO THE REGISTRAR**

Each party must provide the Registrar with the hearing brief electronically, which can include delivery by e-mail, DVD, CD, USB flash drive, external hard drive, or other means of electronic transfer as considered appropriate by the Registrar. Facsimiles are not accepted.

When delivering documents to the Registrar, always specify the following:

- matter name
- file number
- name of Party providing electronic documents
- representative for the Party (if applicable); and
- contact information and name for the person responsible for preparing the documents.

When sending multiple physical media or emails, always label them chronologically (e.g., 1 of 2).

Electronic documents provided by e-mail shall be sent to the Registrar, Office of the Secretary, at [registrar@osc.gov.on.ca](mailto:registrar@osc.gov.on.ca). The email and its attachments shall not exceed the size of 50MB. If the total size of the documents exceeds 50MB, then a DVD, CD,

USB flash drive, external hard drive, or other means of electronic transfer as considered appropriate by the Registrar, must be used.

Electronic documents provided by physical media (such as a DVD, CD, USB flash drive or external hard drive), shall be sent to the Registrar, Governance & Tribunal Secretariat by registered mail, courier or by hand delivery to the following address:

**Attention: Registrar, Governance & Tribunal Secretariat  
Ontario Securities Commission  
20 Queen Street West, 22<sup>nd</sup> Floor  
Toronto, ON, M5H 3S8**

### 3. INDEX FILE

The Index File lists and describes all the documents contained in the Electronic Hearing Brief. It is a comma delimited text file in “.csv” format (which can be created in Excel or other programs). See Appendix C for an example of an Index File. A downloadable Index File template is available on the OSC’s website.

The Index File and the Electronic Hearing Brief are filed with the Registrar at the same time, at least five days before the start of the e-hearing.

The Index File is not an Adjudicative Record and will not be available to the public.

#### INFORMATION CONTAINED IN THE INDEX FILE

The Index File must include the relevant information in all the mandatory fields, where applicable. The mandatory fields are identified below with an asterisk (“\*”). The additional optional fields should be completed wherever possible, as a matter of best practice. See below and Appendix C for examples.

The Index File contains the following fields:

A*	B*	C*	D	E*	F	G	H	I*	J*	K*	L*	M	N
Document ID	Unitized Parent Document ID	Confidential Parent Doc ID	Date	Description	Type	Author	Recipient	Path	Confidential	Redacted	Format	Native File name	Themes
ABC000001	ABC000001		13/06/2013	Affidavit of [Name]	Affidavit	[Name]		ABC000001.pdf			pdf		Transaction 1
ABC000104C		ABC000104C	05/05/2013	List of Shares sold during 2013	Report			ABC000104C.pdf	C		pdf		Transaction 2
ABC000104R		ABC000104C	05/05/2013	List of Shares sold during 2013	Report			ABC000104R.pdf		R	pdf		Transaction 2



The field names entered into the first row of the Index File must be exactly as shown, with no extra spaces or other punctuation.

**Column A – DocumentID – Mandatory field:**

The DocumentID is a unique identifier that the party creates to name each of the documents in the Hearing Brief. Each document must have a unique alphanumeric DocumentID, such as ABC000001, ABC000002, etc. No two documents can have the same DocumentID. DocumentIDs have no prescribed length.

When the Parties have previously exchanged documents electronically using DocumentIDs, the Parties may continue to use the same DocumentIDs for the Index File. The parties do not need to rename the document.

At the e-hearing, a document will be referred to by its DocumentID number or by its exhibit number if the document is marked as an exhibit by the Panel.

If the Party intends to request that a document be confidential and not available to the public, add a “C” suffix to the DocumentID (e.g. ABC000104C).

If the Party intends to request that part of a document be confidential, add a “C” suffix to the DocumentID of the original unredacted document, and an “R” suffix to the DocumentID of the redacted version of the original document (e.g. ABC000104R).

**Column B –Unitized Parent DocID – Mandatory field:**

Column B must be entered when individual documents are part of a family of related documents. For example, an email with attached documents is referred to as a “family”. The email itself is referred to as the “parent” and the attachments are referred to as the “children”. Document unitization is the process of preserving the relationship between the individual documents in the family (e.g. the email and its attachments). It allows the family of documents to be marked together as one exhibit at the e-hearing.

A family usually includes documents that are attached to each other. In addition, for the purposes of the Index File, a family of documents can also include any group of related, similar documents that a party intends to have entered as a single exhibit during the e-hearing (e.g. a set of financial statements for a single company, banking records for a specific account, phone records for a single phone number, etc.).

For each document that is part of a family, including the parent and all children, identify the family by entering the parent document's DocumentID in Column “B” (the Unitized Parent DocID Field).

**Column C – Confidential Parent DocID - Mandatory field:**

If the Party intends to request that part of a document be confidential and not available to the public, Column C must be entered for both the original and redacted versions of

the document.

Column C need not be entered if the Party intends to request that the entire document be confidential.

Column C is used to unitize the original unredacted document and the redacted version into a family of two documents. The original document is the “parent” and the redacted version of the document is the “child”. Identify the confidential family by entering the original unredacted document's DocumentID in Column “C” (the Confidential Parent DocID Field) for both the original and redacted versions of the document.

These confidential families are separate and apart from the related document families discussed in Column B. Confidential families can occur as sub-families, within larger families of related documents.

**Column D - Date - Optional field:**

Enter the date of the document (if available) in Column D in mm/dd/yyyy format. Partial dates are not accepted.

**Column E - Description - Mandatory field:**

Enter the “Re:” line, title or short description of the document in Column E. Examples of document descriptions are: affidavit of Joe Smith, email attachment, audio recording of Joe Smith, etc.

**Column F - Type - Optional field:**

Enter the type of document in Column F (e.g. contract, email, letter, etc.).

**Column G - Author - Optional field:**

Enter the name of the author(s) of the document in Column G, if applicable. If the author is an individual, enter the name in this format: “last name, first name”. For multiple authors, separate each author’s name by a semi colon.

**Column H - Recipient – Optional field:**

Enter the name of the document’s recipient(s), if applicable (e.g. for emails, reports, and memos, etc.). If the recipient is an individual, enter the name in the following format: “last name, first name”. For multiple recipients, separate each recipient’s name by a semi colon.

**Column I - Path – Mandatory field:**

The path is the DocumentID, followed by the document’s file extension (e.g. ABC00001.pdf, ABC00020.xls). In most cases, the file extension will be “pdf”, unless permission has been granted for the use of alternative document formats (see the section on “Alternative Document Formats”).

**Column J - Confidential - Mandatory field:**

If the Party intends to request that the document be confidential, enter a “C” in Column J. For each such document, ensure that the “C” suffix is also added to the DocumentID in Column A.

**Column K - Redacted - Mandatory field:**

If the document is a redacted version of a document the Party intends to request be confidential, enter an “R” in Column K.

Do not enter an “R” in Column K for documents that have been redacted in accordance with section 3 of the Commission’s Practice Guideline.

**Column L – Format – Mandatory field:**

Enter the document’s file extension (e.g. pdf, xlsx, mp3, wav) in Column L.

**Column M – Native Filename – Optional field:**

Enter the original filename of the document in Column M. The original filename is the name given by the document’s author at the time the document was created or last modified.

**Column N – Themes – Optional field:**

Use Column N to identify a theme related to a document. For example, the theme may indicate a witness, subject or issue related to the document.

# Appendix B – E-Hearing Checklist

This form can be downloaded from the OSC website

## E-HEARING CHECKLIST

MATTER INFORMATION	
<b>Matter Name</b>	[INSERT MATTER NAME]
<b>File Number</b>	[INSERT FILE NUMBER]
<b>Scheduled Dates for the Hearing</b>	[INSERT SCHEDULED DATES]
<b>Name:</b> [INSERT FIRST AND LAST NAME] Select title	<b>Address:</b> [INSERT ADDRESS] <b>Phone:</b> [INSERT PHONE] <b>Email:</b> [INSERT EMAIL]

IT EQUIPMENT SET-UP AND PORTAL TRAINING		
The Registrar will confirm IT equipment set-up and OSC Portal Training Sessions based on the Parties' availability and hearing room availability prior to the hearing. The training will take approximately 30 minutes to one hour. Please provide a list of dates and times of your availability.		
	<b>Available Dates</b>	<b>Available Times</b>
<b>1</b>	[INSERT AVAILABLE DATE]	Select available time
<b>2</b>	[INSERT AVAILABLE DATE]	Select available time
<b>3</b>	[INSERT AVAILABLE DATE]	Select available time
Please attach a separate document with the above information if you require more room.		

## INDIVIDUALS PARTICIPATING IN THE HEARING

**Note that there are generally only two OSC laptops available to each of Staff and the Respondents**

Name	Role	Laptop	Internet Access Requested
[INSERT FIRST AND LAST NAME]	Select role	Select option	<input checked="" type="checkbox"/>
[INSERT FIRST AND LAST NAME]	Select role	Select option	<input type="checkbox"/>
[INSERT FIRST AND LAST NAME]	Select role	Select option	<input type="checkbox"/>
[INSERT FIRST AND LAST NAME]	Select role	Select option	<input type="checkbox"/>
[INSERT FIRST AND LAST NAME]	Select role	Select option	<input type="checkbox"/>

Please attach a separate document with the above information if you require more room.

## ALTERNATIVE DOCUMENT FORMAT USE (for use only if necessary) Must be

As set out in the Protocol for E-Hearings, hearing brief documents must be provided in separate, searchable multi-page PDF (or PDF/A) format.

However, if Registrar permission is sought (which must be done at least 10 days before the start of the hearing), or has been granted, for the use of alternative document formats, provide the following information:

Format	Format Type	Name of Document	Description of Document	Date of Document	Pages or File Size
Select format	Select format type	[INSERT NAME OF DOCUMENT]	[INSERT DESCRIPTION OF DOCUMENT]	[mm/dd/yyyy]	[INSERT NUMBER OF PAGES OR FILE SIZE]
Select format	Select format type	[INSERT NAME OF DOCUMENT]	[INSERT DESCRIPTION OF DOCUMENT]	[mm/dd/yyyy]	[INSERT NUMBER OF PAGES OR FILE SIZE]
Select format	Select format type	[INSERT NAME OF DOCUMENT]	[INSERT DESCRIPTION OF DOCUMENT]	[mm/dd/yyyy]	[INSERT NUMBER OF PAGES OR FILE SIZE]

**ALTERNATIVE DOCUMENT FORMAT USE (for use only if necessary) Must be submitter 10 days before the hearing.**

Please attach a separate document with the above information if you require more room.

**E-HEARING WITNESS LOGISTICS**

**Total Number of Anticipated Witnesses:** [INSERT TOTAL NUMBER OF PARTY'S ANTICIPATED WITNESSES]

**A. WITNESSES ATTENDING IN PERSON**

<b>Witness Name</b>	<b>Date</b>	<b>Time</b>	<b>Anticipated Length</b>	<b>Navigational Control</b>
[INSERT FIRST AND LAST NAME]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>
[INSERT FIRST AND LAST NAME]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>
[INSERT FIRST AND LAST NAME]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>
[INSERT FIRST AND LAST NAME]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>

Please attach a separate document with the above information if you require more room.

**B. WITNESSES ATTENDING BY VIDEO-CONFERENCE**

<b>Witness Name</b>	<b>Location</b>	<b>Date</b>	<b>Time</b>	<b>Anticipated Length</b>	<b>Document Sharing</b>	<b>Facility Information</b>
[INSERT FIRST AND LAST NAME]	[INSERT LOCATION OF WITNESS]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>	[FACILITY CONTACT NAME, PHONE NUMBER, AND IP ADDRESS]

**E-HEARING WITNESS LOGISTICS**

[INSERT FIRST AND LAST NAME]	[INSERT LOCATION OF WITNESS]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>	[FACILITY CONTACT NAME, PHONE NUMBER, AND IP ADDRESS]
[INSERT FIRST AND LAST NAME]	[INSERT LOCATION OF WITNESS]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>	[FACILITY CONTACT NAME, PHONE NUMBER, AND IP ADDRESS]
[INSERT FIRST AND LAST NAME]	[INSERT LOCATION OF WITNESS]	[INSERT ANTICIPATED DATES]	[INSERT ANTICIPATED TIME]	[INSERT ANTICIPATED LENGTH]	<input type="checkbox"/>	[FACILITY CONTACT NAME, PHONE NUMBER, AND IP ADDRESS]

Please attach a separate document with the above information if you require more room.

## Appendix C – Sample Index File

Document ID	Unitized Parent DocID	Confidential Parent DocID	Date	Description	Type	Author	Recipient	Path	Confidential	Redacted	Format	Native Filename	Themes
ABC000001	ABC000001		13/06/2013	Affidavit of [Name]	Affidavit	[Name]		ABC000001.pdf			pdf		Transaction 1
ABC000011	ABC000001		01/06/2013	Tab 1 - Resume of [Name]	Resume	[Name]		ABC000011.pdf			pdf		Transaction 1
ABC000021	ABC000001		01/05/2013	Tab 2 - Share Price Analysis vs TSE Index	Report	[Name]	[Name]	ABC000021.pdf			pdf		Transaction 1
ABC000051	ABC000001		23/04/2013	Tab 3 - Stock performance in 2010	Article			ABC000051.pdf			pdf		Transaction 1
ABC000066	ABC000001		01/01/2012	Tab 4 - Email titled "Please review analysis"	Email	[Name]	[Name]	ABC000066.pdf			pdf		Transaction 1
ABC000081	ABC000001		12/01/2013	Tab 5 - Share Certificates for ABC issued to Fred Flint	Certificates			ABC000081.pdf			pdf		Transaction 1
ABC000101			01/06/2013	RE: Offer Price	Memo	[Name]	[Name]	ABC000101.pdf			pdf	Offerprice.pdf	Transaction 1
ABC000102C		ABC000102C	01/06/2013	RE: Share Cap	Presentation	[Name]		ABC000102C.pdf	C		pdf		
ABC000102R		ABC000102C	01/06/2013	RE: Share Cap	Presentation	[Name]		ABC000102R.pdf		R	pdf		
ABC000104C		ABC000104C	05/05/2013	List of Shares sold during period Jan to Feb 2013	Report			ABC000104C.pdf	C		pdf		Transaction 2
ABC000104R		ABC000104C	05/05/2013	List of Shares sold during period Feb to March 2013	Report			ABC000104R.pdf		R	pdf		Transaction 2
ABC000105	ABC000105		05/02/2013	Email from [Name]	Email			ABC000105.pdf			pdf		
ABC000106	ABC000105		26/04/2013	Email attachment offer price docs	Report			ABC000106.pdf			pdf		
ABC000110C	ABC000105	ABC000110C	01/01/2013	Email attachment Trend Analysis for period 2012- 2013	Spreadsheet			ABC100110C.pdf	C		pdf		



ABC000110R	ABC000105	ABC000110C	01/01/2013	Email attachment Trend Analysis for period 2012- 2013	Spreadsheet			ABC100110R.pdf		R	pdf		
ABCvideo1			05/04/2013	Video titled "Investment information"	Video			ABCvideo1.mpg			mpg		
ABCAudio1			05/03/2013	Audio recording "Phone call to [Name]"	Audio			ABCAudio1.wav			wav		



## Contact Information

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