



Capital  
Markets  
Tribunal

Tribunal des  
marchés  
financiers

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20 Queen Street West  
Toronto ON M5H 3S8

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20, rue Queen ouest  
Toronto ON M5H 3S8

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**IN THE MATTER OF  
MARK ODORICO**

File No. 2022-18

**Adjudicators:** Andrea Burke (chair of the panel)  
Sandra Blake

October 7, 2022

**ORDER**

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

WHEREAS on October 6, 2022, the Capital Markets Tribunal held a hearing by videoconference, in relation to the Application brought by Mark Odorico to review the decisions of the Investment Industry Regulatory Organization of Canada (**IIROC**) dated April 7, 2022 and August 15, 2022 (the **Decisions**);

ON READING the Application and hearing the submissions of Mr. Odorico and the representatives of Staff of IIROC and Staff of the Ontario Securities Commission;

IT IS ORDERED THAT:

1. the hearing of the Application is scheduled for March 7, 2023 at 10:00 a.m., by videoconference, or on such other dates or times as may be agreed to by the parties and set by the Governance & Tribunal Secretariat;
2. the parties shall adhere to the following timeline for the delivery of materials for the Application:
  - a. by 4:30 p.m. on October 20, 2022, Mr. Odorico shall serve and file the record of the original proceeding, which shall be kept confidential pending further order of the Tribunal, and advise which portions of the record of the original proceeding, if any, he is seeking an order to have marked as confidential, along with his position on why such portions should be marked as confidential;
  - b. by 4:30 p.m. on October 25, 2022, the Respondent and Staff of the Commission shall advise of their position regarding Mr. Odorico's confidentiality request;

- c. by 4:30 p.m. on October 27, 2022, Mr. Odorico shall file his motion record and written submissions for his motion seeking a stay of the Decisions (the **Stay Motion**);
- d. by 4:30 p.m. on November 3, 2022, Staff of IIROC shall file its responding motion record and written submissions for the Stay Motion;
- e. by 4:30 p.m. on November 9, 2022, Staff of the Commission shall file its responding motion record and written submissions for the Stay Motion;
- f. by 4:30 p.m. on November 14, 2022, Mr. Odorico shall file his reply motion record and written submissions, if any, for the Stay Motion;
- g. the hearing of the Stay Motion is scheduled for November 25, 2022 at 10:00 am by videoconference, or on such other dates or times as may be agreed by the parties and set by the Governance & Tribunal Secretariat;
- h. by 4:30 p.m. on December 5, 2022, Mr. Odorico shall:
  - i. give notice of any intention to rely on documents or things not included in the record of the original proceeding;
  - ii. disclose any documents or things not included in the record of the original proceeding on which he intends to rely;
  - iii. serve and file a witness list, and serve a summary of each witness' anticipated evidence; and
  - iv. indicate any intention to call an expert witness;
- i. by 4:30 p.m. on December 12, 2022, Staff of IIROC and Staff of the Commission shall:
  - i. give notice of any intention to rely on documents or things not included in the record of the original proceeding;
  - ii. disclose any documents or things not included in the record of the original proceeding on which they intend to rely;
  - iii. serve and file a witness list, and serve a summary of each witness' anticipated evidence; and
  - iv. indicate any intention to call an expert witness;
- j. by 4:30 p.m. on December 23, 2022, the parties shall give notice of any other interlocutory matter to be raised, including motions, and if any motions are being brought, shall serve and file their motion and motion record;
- k. by 4:30 p.m. on January 24, 2023, Mr. Odorico shall serve and file his hearing brief, if any, and written submissions on the Application;
- l. by 4:30 p.m. on February 7, 2023, Staff of IIROC shall serve and file its hearing brief, if any, and written submissions on the Application;
- m. by 4:30 p.m. on February 16, 2023, Staff of the Commission shall serve

and file its hearing brief, if any, and written submissions on the Application;

- n. by 4:30 p.m. on February 23, 2023, Mr. Odorico shall serve and file his reply written submissions, if any, on the Application; and
3. a further attendance in this proceeding is scheduled for January 11, 2023 at 10:00 a.m., by videoconference, or on such other date and time as may be agreed to by the parties and set by the Governance & Tribunal Secretariat.

*"Andrea Burke"*

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Andrea Burke

*"Sandra Blake"*

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Sandra Blake