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Citation: *Gong (Re)*, 2022 ONCMT 29

Date: 2022-10-11

File No. 2022-14

**IN THE MATTER OF
XIAO HUA (EDWARD) GONG**

REASONS AND DECISION

Adjudicators: Russell Juriansz (chair of the panel)
Timothy Moseley
Sandra Blake

Hearing: In writing

Appearances: Alice Zhou For herself

REASONS AND DECISION

1. OVERVIEW

[1] Alice Zhou, a non-party to this proceeding, moved unsuccessfully for intervenor status. Upon seeing the decision dismissing her application, and the reasons for that decision, she brings this new application to keep the decision and reasons confidential. As we explain below, her application is improper, and we dismiss it summarily.

2. ANALYSIS

[2] On June 13, 2022, Staff of the Ontario Securities Commission filed a Statement of Allegations against the respondent Xiao Hua (Edward) Gong, alleging securities fraud and unregistered trading.

[3] On July 29, 2022, Zhou filed her motion seeking intervenor status in this proceeding. On October 5, 2022, following an oral hearing, we dismissed Zhou's motion.¹ Our decision and reasons were delivered to the parties and published by this Tribunal.

[4] The next day, Zhou brought this application under section 25.0.1 of the *Statutory Powers Procedure Act*², asking that our order and the reasons not be disclosed to the public. She submits that the panel misunderstood her submissions and that the reasons, as drafted, may impact investors and other concerned parties.

[5] Zhou's current application is improper. Zhou's only ground is that she is dissatisfied with the hearing, decision and reasons on her intervenor motion.

[6] We cannot re-hear Zhou's motion for intervenor status. Zhou has other avenues available to her if she is dissatisfied with our decision, but asking us to keep that decision from the public is not one of them.

¹ *Gong (Re)*, 2022 ONCMT 27

² RSO 1990, c S.22

[7] We therefore dismiss her current application summarily, without the need to hear from the parties to the proceeding (*i.e.*, Staff of the Ontario Securities Commission, and the respondent Gong).

Dated at Toronto this 11th day of October, 2022

"Russell Juriansz"

Russell Juriansz

"Timothy Moseley"

Timothy Moseley

"Sandra Blake"

Sandra Blake