



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

**IN THE MATTER OF
MARK HAMLIN**

File No. 2022-16

Adjudicators: Andrea Burke (chair of the panel)
Timothy Moseley
Geoffrey D. Creighton

October 31, 2022

ORDER

(Subsection 17(1) of the *Securities Act*, RSO 1990, c S.5 (the **Act**))

WHEREAS on October 31, 2022, the Capital Markets Tribunal held a hearing by videoconference to consider the application by Mark Hamlin for an order authorizing him to make various disclosures in connection with a proceeding in the United States District Court for the Southern District of New York;

AND WHEREAS, the Capital Markets Tribunal, by order dated October 12, 2022, with reasons to follow, determined that it has jurisdiction to grant the order sought;

ON READING the materials filed and on hearing the submissions of the representatives of Hamlin and of Staff of the Ontario Securities Commission;

IT IS ORDERED THAT:

1. pursuant to subsection 17(1) of the Act, Hamlin is authorized to provide deposition testimony in the action commenced by the Commodity Futures Trading Commission against Christophe Rivoire in the United States District Court for the Southern District of New York in Case No. 19-cv-11701 (**SDNY Action**), and to make any disclosures related to such deposition to the Court or to the parties in the SDNY Action, concerning the following topics:
 - a. Hamlin's compelled testimony given at an examination conducted on May 23, 2019 under section 13 of the Act (**Examination**);
 - b. the Commission's investigation order issued on April 2, 2019, under section 11 of the Act (**Investigation Order**), pursuant to which the Examination was conducted;
 - c. the transcript of the Examination; and

- d. any other document, correspondence, information or evidence relating to the Examination and any related interactions with Staff of the Ontario Securities Commission or Staff of the Commodity Futures Trading Commission that is subject to the confidentiality restrictions set out in section 16 of the Act or the Investigation Order.

"Andrea Burke"

Andrea Burke

"Timothy Moseley"

Timothy Moseley

"Geoffrey D. Creighton"

Geoffrey D. Creighton