



Capital
Markets
Tribunal

Tribunal des
marchés
financiers

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Toronto ON M5H 3S8

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Toronto ON M5H 3S8

**IN THE MATTER OF
MARK ODORICO**

File No. 2022-18

Adjudicators: Andrea Burke (chair of the panel)
Sandra Blake
Dale R. Ponder

January 12, 2023

ORDER

(Subsection 2(2) of the *Tribunal Adjudicative Records Act, 2019*, SO 2019, c 7, Sch 60 and Rule 22(4) of the *Capital Markets Tribunal Rules of Procedure and Forms*)

WHEREAS on January 11, 2023, 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;

AND WHEREAS Odorico and Staff of the New Self-Regulatory Organization of Canada (formerly IIROC) (**New SRO**) made requests for confidentiality of certain documents contained in the supplementary record of the original proceeding (**Supplementary Record**), Odorico made requests for confidentiality of certain other documents contained in the Supplementary Record, and Odorico made an additional request to vary a deadline contained in the Tribunal's order dated October 7, 2022 (**October 7 Order**);

ON HEARING the submissions of Odorico and the representatives of Staff of the New SRO and Staff of the Ontario Securities Commission, and on reading the Supplementary Record and the tabs contained therein;

IT IS ORDERED THAT:

1. paragraph 2(h) of the October 7 Order is varied as follows:
 - a. by 4:30 p.m. on January 18, 2023, Odorico shall:
 - i. give notice of any intention to rely on documents or things not included in the record of the original proceeding or Supplementary Record;
 - ii. disclose any documents or things not included in the record of the

original proceeding or Supplementary Record on which he intends to rely;

iii. serve and file a witness list, if any, and serve a summary of each witness' anticipated evidence; and

iv. indicate any intention to call an expert witness;

2. pursuant to subsection 2(2) of the *Tribunal Adjudicative Records Act, 2019* and Rule 22(4) of the *Capital Markets Tribunal Rules of Procedure and Forms*, tabs 2, 3, 4, 5, 6, 7 and 8 of the Supplementary Record are marked as confidential, and only the redacted version of the Supplementary Record shall be available to the public; and
3. a further attendance in this proceeding is scheduled for January 20, 2023, at 1:00 p.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"

Andrea Burke

"Sandra Blake"

Sandra Blake

"Dale R. Ponder"

Dale R. Ponder