



Capital
Markets
Tribunal

Tribunal des
marchés
financiers

22nd Floor
20 Queen Street West
Toronto ON M5H 3S8

22e étage
20, rue Queen ouest
Toronto ON M5H 3S8

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

File No. 2022-14

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

January 26, 2023

ORDER

WHEREAS on January 26, 2023, the Capital Markets Tribunal held a hearing by videoconference to consider the respondent's motion regarding the use of certain materials in the possession of the parties (the **Materials Motion**) and to schedule further steps in this proceeding;

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

IT IS ORDERED THAT:

1. the Materials Motion is dismissed, for reasons to follow;
2. by 4:30 p.m. on March 27, 2023, the respondent shall serve and file his motion record regarding his request for a stay of the proceedings, which shall be marked confidential pursuant to Rule 22(4) of the *Capital Markets Tribunal Rules of Procedure and Forms* pending further order of the Tribunal;
3. by 9:00 a.m. on April 6, 2023, the respondent shall serve and file a witness list and serve a summary of each witness's anticipated evidence on Staff, and indicate any intention to call an expert witness, including the expert's name and the issues on which the expert will give evidence; and
4. a further attendance in this matter is scheduled for April 6, 2023 at 9:00 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.

"Russell Juriansz"

Russell Juriansz

"Tim Moseley"

Tim Moseley

"Sandra Blake"

Sandra Blake