

**IN THE MATTER OF
TEKNOSCAN SYSTEMS INC., H. SAMUEL HYAMS, PHILIP KAI-HING KUNG and
SOON FOO (MARTIN) TAM**

**MOTION
OF THE ONTARIO SECURITIES COMMISSION
(Amendment of Statement of Allegations)**

A. ORDER SOUGHT

The Moving Party, the Ontario Securities Commission, requests with notice that the Capital Markets Tribunal (the “Tribunal”) make the following orders:

1. An order pursuant to Rule 18 of the Tribunal’s Rules of Procedure and Forms to amend the Statement of Allegations in the form attached as **Schedule “A”**;
2. Such further orders as the Tribunal considers appropriate.

B. GROUNDS

The grounds for the request are:

1. We wish to bring new allegations against two Respondents, H. Samuel Hyams and Philip Kai-Hing Kung, primarily based on recently uncovered evidence that Hyams and Kung misled the Commission.
2. The new allegations arise from the same factual circumstances and investigation as the current allegations and do not involve any new respondents. They should be heard together with the current allegations.
3. The Commission have disclosed to the Respondents the relevant documents in their possession relating to the new allegations.
4. The proposed amendments will not be unfairly prejudicial to the Respondents.
5. Rule 18 of the Tribunal’s *Rules of Procedure and Forms*
6. Such further and other grounds as we may advise and the Tribunal may permit.

C. EVIDENCE

We intend to rely on the following evidence at the hearing:

1. The proposed Amended Statement of Allegations attached as Schedule “A”;
2. The accompanying affidavit of Michal Krzepakowski, sworn March 3, 2023;
3. Such further and other materials as counsel may advise and the Commission may permit.

DATED this 3rd day of March, 2023.

ONTARIO SECURITIES COMMISSION

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