



Capital
Markets
Tribunal

Tribunal des
marchés
financiers

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Toronto ON M5H 3S8

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20, rue Queen ouest
Toronto ON M5H 3S8

**IN THE MATTER OF
MILLER BERNSTEIN LLP**

File No. 2023-2

Adjudicators: James Douglas (chair of the panel)
Timothy Moseley

March 13, 2023

ORDER

WHEREAS on March 10, 2023, the Capital Markets Tribunal held a confidential hearing by videoconference, to consider a request by Miller Bernstein LLP (the **Applicant**) for a confidential hearing in relation to their Application under Rule 17 of the Capital Markets Tribunal Rules of Procedure and Forms (the **Rules of Procedure**) and to set a schedule for the hearing of the Application;

ON READING the Application, the Applicant's Memorandum of Fact and Law, and the Affidavit of Alexander C. Payne, and on hearing the submissions of the representatives for the Applicant and for Staff of the Ontario Securities Commission;

IT IS ORDERED:

1. for reasons to follow, that the Applicant's request for an order that this Application and any documents filed in relation thereto be confidential is dismissed; however, this is without any effect on the applicability of the common law implied undertaking to the materials that are the subject matter of the Application, to the extent that such undertaking applies;
2. that the Applicant shall serve Harold Seidel, and BDO Canada Limited in its capacity as court-appointed receiver-manager of Buckingham Securities Corporation, with its Application and materials; and

3. that the hearing of the Application is scheduled for May 25, 2023, at 10:00 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.

"James Douglas"

James Douglas

"Timothy Moseley"

Timothy Moseley