



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
NVEST CANADA INC., GX TECHNOLOGY GROUP INC.,
SHORUPAN PIRAKASPATHY and WARREN CARSON**

File No. 2023-1

Adjudicator: James Douglas

March 23, 2023

ORDER

WHEREAS the Capital Markets Tribunal held a hearing in writing to consider a motion brought by Staff of the Ontario Securities Commission (**OSC Staff**) for procedural relief including, among other things, proceeding without notice to Warren Carson (**Carson**), waiving service of the Notice of Hearing and Statement of Allegations on Carson, waiving service of all future processes on Nvest Canada Inc. (**Nvest**), GX Technology Group Inc. (**GX Technology**), Shorupan Pirakaspathy (**Pirakaspathy**) and Carson (collectively, the **Respondents**) and dispensing with OSC Staff's disclosure obligations with respect to the Respondents;

ON READING the Motion Record, including the Amended Affidavit of Service and Attempted Service of Sherry Brown affirmed March 6, 2023, the Affidavit of Service of Yolanda Leung sworn March 10, 2023 and on reading the written submissions of OSC Staff and the email correspondence of Victor Wall dated March 20, 2023, and no one participating on behalf of the Respondents, although Nvest, GX Technology and Pirakaspathy having been properly served;

IT IS ORDERED, for reasons to follow, that:

1. pursuant to Subrule 23(6)(b) of the *Capital Markets Tribunal Rules of Procedure and Forms* (the **Rules**), this motion shall be heard in writing;
2. pursuant to Subrule 28(5)(a) of the Rules, OSC Staff is permitted to bring this motion without notice to Carson;
3. pursuant to Subrule 6(4) of the Rules, the requirement that OSC Staff serve the Notice of Hearing and Statement of Allegations on Carson is waived;

4. pursuant to Subrule 6(4) of the Rules, the requirement that OSC Staff serve all future processes on the Respondents is waived;
5. pursuant to Rule 3 of the Rules, OSC Staff's disclosure obligations pursuant to Subrules 27(1), (2) and (3) in respect of the Respondents are waived; and
6. OSC Staff shall contact the Registrar within seven days of this order to arrange an attendance to address the scheduling of future steps in this proceeding.

"James Douglas"

James Douglas