



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

April 6, 2023

ORDER

WHEREAS on April 6, 2023, the Capital Markets Tribunal held a hearing by videoconference;

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. by 4:30 p.m. on April 10, 2023, the parties shall provide mutually available dates to the Registrar for the purpose of scheduling a one hour confidential conference and shall file written submissions regarding whether Xiao Hua (Edward) Gong should be permitted to attend the confidential conference;
2. by 4:30 p.m. on May 1, 2023, the respondent shall, with respect to the merits hearing in this proceeding, 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;
3. by 4:30 p.m. on May 15, 2023, the respondent shall serve and file a redacted version of his motion record regarding his motion for a stay of the proceeding, which was filed on March 27, 2023;

4. the hearing of Staff's motion to dismiss the respondent's motion for a stay of the proceeding (**Motion to Dismiss**) is scheduled for May 29 and 30, 2023 at 10:00 a.m., at the Capital Markets Tribunal located at 20 Queen Street West, 17th Floor, Toronto, Ontario, or on such other date or time as may be agreed to by the parties and set by the Governance & Tribunal Secretariat; and
5. the parties shall adhere to the following timeline for the delivery of materials for the Motion to Dismiss:
 - a. by 4:30 p.m. on April 20, 2023, Staff shall serve and file its motion and motion record;
 - b. by 4:30 p.m. on May 3, 2023, the respondent shall serve and file his responding motion record;
 - c. by 4:30 p.m. on May 10, 2023, Staff shall serve and file its written submissions;
 - d. by 4:30 p.m. on May 18, 2023, the respondent shall serve and file his responding written submissions; and
 - e. by 4:30 p.m. on May 24, 2023, Staff shall serve and file its reply written submissions, if any.

"Russell Juriansz"

Russell Juriansz

"Tim Moseley"

Tim Moseley

"Sandra Blake"

Sandra Blake