

**Capital Markets Tribunal
22nd Floor, 20 Queen St. West
Toronto, ON M5H 3S8**

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

FILE NO. 2022-14

MOTION OF STERN LANDESMAN CLARK LLP

Removal of Representative as Representative of Record pursuant to *Capital Markets Tribunal Rules of Procedure and Forms*, r. 21(2)

ORDER REQUESTED

Stern Landesman Clark LLP, requests, with notice, that the Tribunal make the following order:

1. THE TRIBUNAL ORDERS that Stern Landesman Clark LLP be and hereby removed as representative of record for Xiao Hua (Edward) Gong.

GROUND

The grounds for the motion are:

2. Xiao Hua (Edward) Gong and Stern Landesman Clark LLP consent to an order removing Stern Landesman Clark LLP as representative of record for Xiao Hua (Edward) Gong.
3. The Supreme Court of Canada in *R. v. Cunningham* (2010) 317 D.L.R. (4th) 1 at 20 held:

[47] If counsel seeks to withdraw far enough in advance of any scheduled proceedings and an adjournment will not be necessary, then the court should allow the withdrawal. In this situation, there is

no need for the court to enquire into counsel's reasons for seeking to withdraw or require counsel to continue to act.

4. Such further grounds as counsel may advise and this Honourable Court permit.

EVIDENCE

Stern Landesman Clark LLP intends to rely on the following evidence for the motion:

5. The Consent of Mr. Gong and Stern Landesman Clark LLP to the Draft Order.
6. The Draft Order attached to the Consent.

Dated this 16th of November 2023

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CAPITAL MARKETS TRIBUNAL

Attention: Registrar

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