



Capital
Markets
Tribunal

Tribunal des
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
GO-TO DEVELOPMENTS HOLDINGS INC., GO-TO SPADINA ADELAIDE SQUARE INC.,
FURTADO HOLDINGS INC., and OSCAR FURTADO**

File No. 2022-8

Adjudicators: M. Cecilia Williams (chair of the panel)
Sandra Blake

November 24, 2023

ORDER

(Rule 22 of the *Capital Markets Tribunal Rules of Procedure and Forms* and Subsection 2(2) of the *Tribunal Adjudicative Records Act, 2019, SO 2019, c 7, Sch 60*)

WHEREAS on October 2, 2023, the Capital Markets Tribunal held a hearing by videoconference to consider an adjournment motion by Oscar Furtado, which included a request to keep certain documents in the adjudicative record confidential;

AND WHEREAS a portion of the hearing proceeded on a confidential basis at the request of Furtado, with the issue of what portion, if any, of the corresponding hearing transcript would be kept confidential, to be determined by the Tribunal following submissions in writing from the parties;

ON READING the written submissions of each of Furtado and Staff, and on hearing the submissions of the representatives for Furtado and of Staff;

IT IS ORDERED THAT

1. pursuant to s 2(2) of the *Tribunal Adjudicative Records Act* and rule 22(4) of the *Capital Markets Tribunal Rules of Procedure and Forms*, the portions of the Adjudicative Record Documents and the October 2, 2023 transcript as attached to this order at "Appendix A" are to be made confidential;
2. the parties shall file revised versions of the Adjudicative Record Documents, redacted in accordance with "Appendix A" of this order, by 4:30pm on December 7, 2023; and
3. only the redacted versions of the Adjudicative Record Documents and the October 2, 2023 transcript shall be available to the public.

"M. Cecilia Williams"

M. Cecilia Williams

"Sandra Blake"

Sandra Blake

Appendix A

List of Redactions to the October 2, 2023 Transcript

- Page 10 line 26-27 the words between "treating Mr. Furtado" and "And a copy"
- Page 11 line 6 the words between "being treated for" and "by his primary"
- Page 11 line 12-13 the words between "the motion was argued" and "at that point"
- Page 11 line 13-14 the words between "and then" and "by the"
- Page 11 line 14-15 the words between "psychiatrist" and "You'll recall that"
- Page 11 line 24-25 the words between "including" and "his condition"
- Page 13 line 1 the word between "and" and "Of course"
- Page 19 line 19 the words between "including" and "significant problems"
- Page 19 line 24 the words between "time and to" and "in order to"
- Page 20 line 27 the words between "with both" and "due to legal"
- Page 21 line 1-2 the words between "Mr. Furtado's" and "score"
- Page 21 line 2 the words between "and his" and "score"
- Page 21 line 8 the words between "latest" and "score"
- Page 21 line 8 the words between "score and" and "score"
- Page 21 line 12-13 the words between "earlier" and "without much"
- Page 22 line 28 the word between "we've got" and "here"
- Page 24 line 1 the first two words
- Page 24 line 2 the first word
- Page 24 line 4 the word between "got a" and "medication"
- Page 24 line 5 the first word
- Page 24 line 11 the word between "got a" and "drug"
- Page 24 line 12 the first word
- Page 24 line 13 the word between "got another" and "drug with"
- Page 24 line 14 the last three words
- Page 24 line 15 the word between "and" and "which is"
- Page 24 line 15-16 the words between "is for" and "We see"
- Page 24 line 17-18 the words between "here is" and "with common"
- Page 24 line 20 the word between "that your" and "is worsened"
- Page 24 line 21 the word between "to those" and "you don't"
- Page 24 line 27 the first word
- Page 25 line 4 the word between "is an" and "agent"
- Page 25 line 5-6 the words between "indicated for" and "It also"
- Page 25 line 12 the word between "He's on" and "new drugs"
- Page 26 line 14-15 the words between "including" and "Mr. Furtado"
- Page 26 line 28 the final two words on the line
- Page 27 line 1-2 the words between "necessitating" and "If you have"
- Page 27 line 16-17 the words between "suffer from" and "She's treated"
- Page 27 line 17-19 the words between "treated him for" and "She says"
- Page 27 line 20-21 the words following "presents with"
- Page 27 line 24 the words between "His" and "is very low"
- Page 27 line 25 the words between "often" and "during"
- Page 28 line 9 the words between "to get a" and "of his eyes"
- Page 28 line 9 the words between "The" and "was ordered"
- Page 28 line 11-12 the words between "with his" and "which has"
- Page 28 line 14 the words between "average of" and "a day"
- Page 28 line 21 both words
- Page 28 line 24 the words between "of the" and "from"

Appendix A

- Page 28 line 25-26 the words between "that the" and "identified"
- Page 28 line 27 the first two words
- Page 28 line 27 the final two words on the line
- Page 29 line 3 the first two words
- Page 29 line 4 the final two words on the line
- Page 50 lines 15-16 the words between "defence by" and "Again, we"
- Page 50 line 19 the word after "[inaudible]"
- Page 50 line 20 the words following "says his"
- Page 53 line 7 the first three words
- Page 53 line 18 all the words up to "And in"
- Page 53 line 21 the words between "to those" and "of the"
- Page 54 line 8 the final word on the line
- Page 56 line 8 the words between "He claims a" and "with no"
- Page 56 line 18 the words between "references" and "We've included"
- Page 57 line 2 the words between "experiencing" and "due to legal"
- Page 58 line 5 the words between "stress or" and "that"
- Page 58 line 7-8 the words between "from stress" and "Medications"
- Page 58 line 9 the words between "issues like" and "might make"
- Page 79 the two words after "answers" in the index
- Page 79 the word after "asking" in the index
- Page 79 the first reference to "August" in the index
- Page 79 the sixth, seventh, and eighth reference to "back" in the index
- Page 80 the word after "biggest" in the index
- Page 80 the word after "blind" in the index
- Page 80 the word after "break" in the index
- Page 80 the word after "causing" in the index
- Page 80 the word after "Cecilia" in the index
- Page 80 the second reference to "changed" in the index
- Page 80 the two words after "changed" in the index
- Page 80 the word after "choice" in the index
- Page 80 the word after "clearly" in the index
- Page 81 the word after "cross-examined" in the index
- Page 81 the word after "crystal" in the index
- Page 81 the two words after "denying" in the index
- Page 81 the word after "disconcerting" in the index
- Page 81 the word after "discussions" in the index
- Page 81 the two words after "dismissed" in the index
- Page 81 the two words after "Div" in the index
- Page 81 the word after "driving" in the index
- Page 82 the two words after "extremely" in the index
- Page 82 the word after "fourth" in the index
- Page 83 the word after "Futures" in the index
- Page 83 the word after "grants" in the index
- Page 83 the word after "great" in the index
- Page 83 the word after "grounds" in the index
- Page 83 the three words after "he'll" in the index
- Page 83 the word after "hyperlinked" in the index
- Page 84 the word after "inquiry" in the index
- Page 84 the word after "January" in the index
- Page 84 the word after "joins" in the index
- Page 84 the word after "light" in the index

Appendix A

- Page 85 the first, second, fifth, twelfth, thirteenth, and fourteenth reference to "medication" in the index
- Page 85 the three words after "multiple" in the index
- Page 85 the word after "necessity" in the index
- Page 85 the word after "neither" in the index
- Page 85 the word after "Okay" in the index
- Page 86 the word after "paid" in the index
- Page 86 the word after "panel" in the index
- Page 86 the word after "pardon" in the index
- Page 86 the two words after "phase" in the index
- Page 86 the word after "precluding" in the index
- Page 86 the second reference to the word "prescribed" in the index
- Page 86 the word after "pressed" in the index
- Page 87 the two words after "restlessness" in the index
- Page 87 the word after "roll" in the index
- Page 88 the word after "says" in the index
- Page 88 the word after "scheme" in the index
- Page 88 the first reference to the word "significant" in the index
- Page 88 the fifth reference to the word "six" in the index
- Page 88 the three words after "skipping" in the index
- Page 88 the word after "snap" in the index
- Page 88 the word after "spanning" in the index
- Page 88 the two words after "step" in the index
- Page 88 the word after "streamlined" in the index
- Page 89 the word after "team" in the index
- Page 89 the third and fourth reference to "ten" in the index
- Page 89 the word after "tenets" in the index
- Page 89 the fourth reference to "three" in the index
- Page 89 the word after "Thursday" in the index
- Page 89 the word after "transcription" in the index
- Page 89 the word after "tying" in the index
- Page 90 the first reference to "upper" in the index
- Page 90 the word after "we've" in the index
- Page 90 the word after "willing" in the index
- Page 90 the second and third reference to "work" in the index
- Page 90 the first reference to "18" in the index

List of Redactions to Adjudicative Record Documents

Hearing Exhibit 1 – Motion Record of Oscar Furtado

Exhibit "A" to Affidavit of Carly Vande Weghe, sworn September 12, 2023

- Pages 27-28

Exhibit "B" to Affidavit of Carly Vande Weghe, sworn September 12, 2023

- Pages 30-33

Exhibit "C" to Affidavit of Carly Vande Weghe, sworn September 12, 2023

- Pages 35-38

Appendix A

Exhibit "D" to Affidavit of Carly Vande Weghe, sworn September 12, 2023

- Pages 40-44

Exhibit "L" to Affidavit of Carly Vande Weghe, sworn September 12, 2023

Affidavit of Oscar Furtado, sworn May 10, 2023

- Page 95 in paragraph 10 the words between "time and" and "Accordingly"

Exhibit "E" to Affidavit of Oscar Furtado, sworn May 10, 2023

- Page 122 the four lines of information, including an address, following the date and "Oscar Furtado"
- Page 123 the four lines of information, including an address, following the date and "Oscar Furtado"
- Page 123 everything following item 2
- Page 123 following item 3, the words between "Medical Issues:" and "this is worsening"
- Page 123 following item 3, the words from "1 to 3 months" to the end of the paragraph

Exhibit "X" to Affidavit of Carly Vande Weghe, sworn September 12, 2023

- Page 250 the date of birth and address details
- Page 251 the drivers license ID number, phone numbers, and email address

Exhibit "Y" to Affidavit of Carly Vande Weghe, sworn September 12, 2023

- Page 259 the address following "BAFARO has the same reported address"
- Page 259 the address following "INC has the same reported address"
- Page 260 the address following "TRUST has the same reported address"

Affidavit of Oscar Furtado, sworn September 12, 2023

- Page 345 para 16 the words between "changes were made" and "with the hope"
- Page 345 para 21 the words from "further changes" to the end of the paragraph
- Page 347 para 28 the three words following item (a)
- Page 347 para 28 item (f) the words between "of time and" and "in order to brief"

Affidavit of Oscar Furtado, sworn May 10, 2023

- Page 353, Page 3 of affidavit in paragraph 10 the words between "time and" and "Accordingly"

Exhibit "E" to Affidavit of Oscar Furtado, sworn May 10, 2023

- Page 380 the four lines of information, including an address, following the date and "Oscar Furtado"
- Page 381 the four lines of information, including an address, following the date and "Oscar Furtado"
- Page 381 everything following item 2
- Page 381 following item 3, the words between "Medical Issues:" and "this is worsening"
- Page 381 following item 3, the words from "1 to 3 months" to the end of the paragraph

Exhibit "C" to Affidavit of Oscar Furtado, sworn September 12, 2023

- Page 386 in the first paragraph the words from "him to suffer" to the end of the paragraph

Appendix A

- Page 386 in the second paragraph the words from "presents with" to the end of the paragraph

Hearing Exhibit 2 – Supplementary Motion Record of Oscar Furtado

Supplementary Affidavit of Oscar Furtado, sworn September 22, 2023

- Pages 157-158 all of paragraph 3
- Page 160 at paragraph 10 the words between "has recommended that" and "but has asked"
- Page 160 at paragraph 10 the word between "product monograph for" and "is attached"
- Page 160 at paragraph 11 the words "I am under" and "and has impacted"

Exhibit "A" to Affidavit of Oscar Furtado

- Pages 163 through 244

Exhibit "B" to Affidavit of Oscar Furtado

- Pages 246 through 328

Exhibit "C" to Affidavit of Oscar Furtado

- Pages 330 through 357

Exhibit "D" to Affidavit of Oscar Furtado

- Pages 359 through 390

Exhibit "E" to Affidavit of Oscar Furtado

- Pages 392 through 426

Exhibit "F" to Affidavit of Oscar Furtado

- Pages 428 through 479

Exhibit "G" to Affidavit of Oscar Furtado

- Pages 481 through 537

Exhibit "H" to Affidavit of Oscar Furtado

- Pages 539 through 618

Exhibit "I" to Affidavit of Oscar Furtado

- Pages 620 through 682

Exhibit "J" to Affidavit of Oscar Furtado

- Pages 684 through 707

Exhibit "K" to Affidavit of Oscar Furtado

- Page 709 the four lines of information, including an address, following the date and "Oscar Furtado"
- Page 709 the full sentence after "23rd Jan 2023"
- Page 709 the words between "since several times" and "and we have struggled"
- Page 709 the full sentence after "general outlook"
- Page 709 the rest of the sentence following "has not helped much"
- Page 709 the rest of the paragraph following "he has been suffering with"

Exhibit "L" to Affidavit to Oscar Furtado

- Pages 711 through 745

Appendix A

Exhibit "M" to Affidavit of Oscar Furtado

- Page 747 the words from "stress causing" to the end of the sentence

Hearing Exhibit 3 – Further Supplementary Motion Record of Oscar Furtado

Further Supplementary Affidavit of Oscar Furtado, sworn September 29, 2023

- Page 2 at para 5 the words between "to get a" and "of my eyes"
- Page 2 at para 5 the words between "eyes. The" and "was ordered at"
- Page 2 at para 5 the words between "experiencing with me" and "which has contributed"
- Page 2 at para 5 the words between "contributed to the" and "I have been experiencing"
- Page 2 at para 5 the words between "taking, on average" and "daily"
- Page 2 at para 6 the words between "and decided to" and "in an effort to"
- Page 2 at para 6 the words from "my Second Affidavit" to the end of the paragraph
- Page 2 at para 7 the words between "the results of my" and "which he had"
- Page 2 at para 7 the words between "advised me that the" and "identified a new"
- Pages 2-3 at para 7 the words between "indicating that I have" and "Dr. Shroff is investigating"
- Page 3 at para 7 the words between "Dr. Shroff has" and "and, once those"

Exhibit "A" to Affidavit of Oscar Furtado

- Pages 6 through 69

Hearing Exhibit 4 – Motion Record of Staff

Exhibit "F" to Affidavit of Michelle Spain, affirmed May 17, 2023

- Pdf page 61, the three lines of information, including address, following "Re: Oscar Furtado"
- Pdf page 61 in the 12th line of text on the page the words between "This patient was" and "on Thursday"

Exhibit "G" to Affidavit of Michelle Spain, affirmed May 17, 2023

- Pdf page 63 in the second line the words between "continue to test him" and "Please note"
- Pdf page 63 the words between "your client is" and "and estimates"
- Pdf page 65 the three lines of information, including address, following "Re: Oscar Furtado"
- Pdf page 65 the two words between "This patient was" and "on Thursday, May"
- Pdf page 65 all the words following "Additional Notes:"

Exhibit "H" to Affidavit of Michelle Spain, affirmed May 17, 2023

- Pdf page 68 the words between "your client is" and "and estimates"

Exhibit "J" to Affidavit of Michelle Spain, affirmed May 17, 2023

- Pdf page 83 at line 7 the words between "Mr. Furtado was" and "which"
- Pdf page 83 at line 8 the words between "he was" and "that"

Appendix A

List of Redactions in Oscar Furtado's Moving Submissions, dated September 25, 2023

- Page 12 at para 37 the words between "including: (i)" and "(ii) significant"
- Page 13 at para 37 the words between "time and" and "in order to brief"
- Page 13 at para 38 the words between "related to stress" and "Mr. Furtado has filed"
- Page 13 at para 39 the words between "evidence disclosing" and "he is currently taking"
- Page 13 at para 40 the words after "has been seeing" to the end of the sentence
- Page 13 at para 40 the words between "treated Mr. Furtado" and "In her letter"
- Page 13 at para 40 the words following "causing him to suffer" to the end of the paragraph
- Page 14 at para 42 the words between "was referred to" and "his condition is worsening"
- Page 14 at para 42 the final word of the paragraph
- Page 14 at para 43 the words between "confirms that Mr. Furtado's" and "have both
- Page 14 at para 43 the words between "that, although" and "we have struggled"
- Pages 41-43, all of them

List of Redactions in Staff's Responding Submissions, dated September 28, 2023

- Page 6 at para 7 the words between "indicating he was" and "and thus could not"
- Page 7 at para 7 the two words following "believe he was"
- Page 7 at para 8 item (a) the words between "currently taking" and "which are prescribed"
- Page 7 at para 8 item (b) the words between "prescribed to reduce" and "and to reduce"
- Page 7 at para 8 item (b) the words between "and to reduce" and "There is no medical"
- Page 7 at para 8 item (b) the words between "he began experiencing" and "or how long"
- Page 8 at para 8 item (c) the words following "ailments caused by" to the end of the item
- Page 8 at para 8 item (d) the word between "unspecified dosage of" and "for an undisclosed"
- Page 8 at para 8 item (e) the words between "has been prescribed" and "he had not yet"
- Page 8 at para 8 item (e) the word between "Mr. Furtado takes" and "or at what"
- Page 8 at para 8 item (f) the words between "reports taking" and "There is no evidence"
- Page 11 at para 11 the words between "clinical assessment tools" and "Both those tools"
- Page 18 at para 29 item (b) the words between "Furtado has" and "due to legal issues"
- Page 18 at para 29 item (e) the words between "dentist outlining his" and "but not when"
- Page 18 at para 29 item (f) the words between "indicating he has" and "without information"