

**IN THE MATTER OF
TEKNOSCAN SYSTEMS INC., H. SAMUEL HYAMS, PHILIP KAI-HING KUNG
and SOON FOO (MARTIN) TAM**

File No. 2022-19

**MOTION
OF TEKNOSCAN SYSTEMS INC., PHILIP KAI-HING KUNG
and SOON FOO (MARTIN) TAM**

Motion for a confidential conference under Rules 1, 3, 4(2), 20, and 28
of the Capital Markets Tribunal Rules of Procedure

A. ORDER SOUGHT

TeknoScan Systems Inc., Philip Kai-Hing Kung, and Soon Foo (Martin) Tam (Respondents) request that the Tribunal make an order:

1. Requiring the parties to participate in a confidential conference prior to the scheduled start of the merits hearing on January 29, 2024 to consider the matters set out in Rule 20(1) of the Capital Markets Tribunal Rules of Procedure;
2. Waiving any requirements for the service and filing of this motion and supporting affidavit;
and
3. Such further and other relief as counsel may request and this Tribunal deems just.

B. GROUNDS

The grounds for the motion are:

4. The merits hearing for this matter is scheduled for 20 days commencing on January 29, 2024;
5. The parties have not participated in a confidential conference;
6. To ensure that the merits hearing – if any – is conducted in a just, expeditious, and cost-effective manner consistent with Rule 1 of the Capital Markets Tribunal Rules of Procedure, the parties should be required to participate in a confidential conference to consider:
 - a. the settlement of any or all of the issues;

- b. the simplification of the issues;
 - c. facts that may be agreed upon; and
 - d. any other matter that may further a just, expeditious, and cost-effective disposition of the proceeding;
- 7. A confidential conference would assist and facilitate the parties' efforts to narrow the issues and a potential resolution;
 - 8. The parties and the Tribunal will benefit from any such narrowing and any potential resolution;
 - 9. The Respondents are prepared to participate in a confidential conference; and
 - 10. Such further and other grounds as counsel may advise and this Tribunal may accept.

C. EVIDENCE

- 11. The affidavit of Sunil Joseph, affirmed January 9, 2024;
- 12. Such further and other evidence as counsel may advise and this Tribunal may permit.

DATED January 9, 2024

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