



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
KALLO INC., JOHN CECIL and SAMUEL PYO**

File No. 2023-12

Adjudicator: James Douglas

March 26, 2024

ORDER

WHEREAS on March 21, 2024, the Capital Markets Tribunal held a hearing by videoconference;

ON HEARING the submissions of the representatives of the Ontario Securities Commission (the **Commission**) and for the respondents;

IT IS ORDERED THAT:

1. Pyo's motion to strike the statement of allegations and dismiss the proceeding against him (the **Motion to Strike**) is scheduled for April 25, 2024 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;
2. the parties shall adhere to the following timeline for the delivery of materials for the Motion to Strike:
 - a. by 4:30 p.m. on April 8, 2024, Pyo shall serve and file his submissions;
 - b. by 4:30 p.m. on April 15, 2024, the Commission shall serve and file its responding motion record, if any;
 - c. by 4:30 p.m. on April 17, 2024, the Commission shall serve and file its responding submissions;
 - d. by 4:30 p.m. on April 19, 2024, the parties shall complete cross-

examinations, if necessary; and

- e. by 4:30 p.m. on April 23, 2024, Pyo shall serve and file reply submissions, if any;
3. the Commission's motion for further and better witness summaries, filed on January 17, 2024 shall continue on April 25, 2024 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;
4. the parties shall deliver any expert reports in accordance with the following schedule:
 - a. the respondents shall serve their expert report(s), if any, on every other party by 4:30 p.m. on July 15, 2024;
 - b. the Commission shall serve their responding expert report(s), if any, on every other party by 4:30 p.m. on September 13, 2024;
5. the Commission shall serve on the respondents by 4:30 p.m. on May 31, 2024, a sworn version of an affidavit of its witness Bruce Meng; and shall serve and file a further or supplementary sworn version of Meng's affidavit by 4:30 p.m. on September 13, 2024;
6. the Commission shall serve and file final sworn versions of the affidavits of Anna Dunaevsky and Ria Sharma by 4:30 p.m. on September 13, 2024;
7. each party shall serve the other parties with a book of documents containing copies of the documents, and identifying the other things, that the party intends to produce or enter as evidence at the merits hearing, by 4:30 p.m. on August 14, 2024;
8. each party shall advise all other parties of any issues about the authenticity or admissibility of documents contained in the books of documents by 4:30 p.m. on August 23, 2024;
9. each party shall provide to the Registrar a completed copy of the Hearing Participant Checklist by 4:30 p.m. on August 23, 2024;
10. a further attendance in this matter is scheduled for August 29, 2024 at 10:00 a.m., by videoconference, or on such other date and time as may be agreed to by the parties and set by the Governance & Tribunal Secretariat; and

11. the merits hearing shall commence on October 8, 2024 at 10:00 a.m., at the Capital Markets Tribunal located at 20 Queen Street West, 17th Floor, Toronto, Ontario, and continue on October 9, 10, 22, 23, 24, 29, 30, and 31, 2024, November 28, and 29, 2024, and December 2, 3, 12, 13, 16, 17, and 18, 2024, starting at 10:00 a.m. on each day, or on such other dates and times as may be agreed to by the parties and set by the Governance & Tribunal Secretariat.

"James Douglas"

James Douglas