



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

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**BETWEEN:**

**JACK MARKS**  
**(Applicant)**

**- and -**

**CNSX MARKETS INC. and ONTARIO SECURITIES COMMISSION**  
**(Respondents)**

File No. 2025-11

**Adjudicators:** Andrea Burke (chair of the panel)  
Jane Waechter  
Dale Ponder

May 11, 2026

**ORDER**

WHEREAS on May 8, 2026, the Capital Markets Tribunal held a hearing at 20 Queen Street West, 17<sup>th</sup> Floor, Toronto, Ontario with respect to Jack Marks' motion dated May 6, 2026 for permission (the **Leave Motion**) to bring (a) a motion to introduce new evidence dated May 6, 2026 (the **Marks New Evidence Motion**) and (b) a motion for relief to obtain further documentary and testimonial evidence dated May 6, 2026 (the **Marks Discovery Motion**);

ON READING the materials filed by each of the parties, and on hearing the submissions made by each of the parties;

IT IS ORDERED, for reasons to follow, that:

1. the Leave Motion with respect to the Marks New Evidence Motion is granted, and
2. the Leave Motion with respect to the Marks Discovery Motion is dismissed.

*"Andrea Burke"*

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Andrea Burke

*"Jane Waechter"*

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Jane Waechter

*"Dale Ponder"*

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Dale Ponder