

**IN THE MATTER OF THE *SECURITIES ACT*  
R.S.O. 1990, c. S.5, AS AMENDED**

- AND -

**IN THE MATTER OF BLACK BEAN COMMUNICATIONS LTD.  
GERHARD (“GARY”) R. MOHR, and JOHN FENNER**

**NOTICE OF HEARING**  
(Sections 127 and 127.1)

**WHEREAS** on the 26<sup>th</sup> day of February, 2002, the Ontario Securities Commission (the "Commission") ordered, pursuant to clause 2 and 3 of subsection 127(1) of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the "Act"), that Black Bean Communications Ltd., Gerhard R. Mohr (also known as Gary Mohr), and John Fenner cease all trading in securities and that any exemptions contained in Ontario securities law do not apply to the respondents;

**AND WHEREAS** the Commission further ordered that pursuant to clause 6 of subsection 127(1) of the Act that the Temporary Order shall take effect immediately and shall expire on the fifteenth day after its making unless extended by the Commission;

**TAKE NOTICE** that the Commission will hold a hearing pursuant to section 127 of the Act at its offices on the 17<sup>th</sup> Floor, 20 Queen Street West, Toronto, Ontario commencing on Friday, the 8<sup>th</sup> day of March, 2002, at 10:00 a.m. or as soon thereafter as the hearing can be held:

**TO CONSIDER** whether, pursuant to sections 127(1) and 127.1 of the Act, it is in the public interest for the Commission:

- (a) to make an order to extend the Temporary Order until this hearing is concluded;

- (b) to make an order that the respondents cease trading in securities, permanently or for such time as the Commission may direct;
- (c) to make an order that any exemptions contained in Ontario securities law do not apply to the respondents permanently, or for such period as specified by the Commission;
- (d) to make an order that the respondents be prohibited from becoming or acting as a director or officer of any issuer;
- (e) to make an order that the respondents be reprimanded;
- (f) to make an order that the respondents pay the costs of Staff's investigation in relation to the matters subject to this proceeding;
- (g) to make an order that the respondents pay the costs of this proceeding incurred by or on behalf of the Commission; and/or
- (h) to make such other order as the Commission may deem appropriate.

**BY REASON OF** the allegations set out in the Temporary Order, in the Statement of Allegations of Staff, and such additional allegations as counsel may advise and the Commission may permit;

**AND TAKE FURTHER NOTICE** that any party to the proceeding may be represented by counsel if that party attends or submits evidence at the hearing;

**AND TAKE FURTHER NOTICE** that upon failure of any party to attend at the time and

place aforesaid, the hearing may proceed in the absence of that party and such party is not entitled to any further notice of the proceeding.

**DATED** at Toronto this 27 day of February, 2002.

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John Stevenson  
Secretary to the Commission

**TO:** Black Bean Communications Ltd.

**AND TO:** Gerhard R. Mohr

**AND TO:** John Fenner