

**IN THE MATTER OF THE SECURITIES ACT,  
R.S.O. 1990, c. S.5, as amended AND THE COMMODITY FUTURES ACT,  
R.S.O. 1990, c. C.20, as amended**

- AND-

**IN THE MATTER OF  
PHOENIX RESEARCH AND TRADING CORPORATION,  
RONALD MOCK and STEPHEN DUTHIE**

**AMENDED AMENDED NOTICE OF HEARING  
(Sections 127 and 127.1 of the *Securities Act* and  
sections 60 and 60.1 of the *Commodity Futures Act*)**

**WHEREAS** a Notice of Hearing and Statement of Allegations was issued on June 11, 2002 in which the Notice of Hearing stated that the hearing would be held on a date to be fixed;

**AND WHEREAS** a date for the hearing was fixed for September 19, 2002 or as soon thereafter as the hearing can be held by Amended Notice of Hearing issued on July 16, 2002;

**TAKE NOTICE** that the Ontario Securities Commission (the "Commission") will hold a hearing pursuant to section 127 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the "Act") and section 60 of the *Commodity Futures Act*, R.S.O. 1990, c. C.20 as amended at the offices of the Commission, Main Hearing Room, 17<sup>th</sup> floor, 20 Queen Street West, Toronto on April 8, 2003 at 10:00 a.m., or as soon thereafter as the hearing can be held;

**TO CONSIDER:**

- (a) whether pursuant to sections 127 and 127.1 of the Act it is in the public interest for the Commission to make an Order:
  - (i) that the registrations of the respondents Phoenix Research and Trading Corporation ("Phoenix Canada") and Ronald Mock ("Mock") be terminated or restricted or that terms and conditions be imposed on their registrations;
  - (ii) that trading in any securities by Mock and the respondent Stephen Duthie ("Duthie") cease permanently or for such period as specified by the Commission;
  - (iii) prohibiting Duthie and Mock from becoming or acting as a director or officer of any issuer permanently or for such period as specified by the Commission;
  - (iv) reprimanding Phoenix Canada, Duthie and Mock;
  - (v) requiring Phoenix Canada, Duthie and Mock to pay the costs of the Commission's investigation and the hearing; and

- (vi) encompassing such other terms and conditions as the Commission may deem appropriate; and
- (b) whether, pursuant to sections 60 and 60.1 of the *Commodity Futures Act*, R.S.O. 1990, c. C.20 it is in the public interest for the Commission to make an order:
  - (i) that Phoenix Canada's and Mock's registrations be terminated or restricted or that terms and conditions be imposed on their registrations;
  - (ii) that the exemptions contained in Ontario commodity futures law do not apply to Mock permanently or for such period as specified by the Commission;
  - (iii) reprimanding Phoenix Canada and Mock;
  - (iv) requiring Phoenix Canada and Mock to pay the costs of the Commission's investigation and the hearing; and
  - (v) encompassing such other terms and conditions as the Commission may deem appropriate.

**BY REASON OF** the allegations set out in the Statement of Allegations of Staff of the Commission dated June 11 2002 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 hearing, 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 11<sup>th</sup> day of March, 2003

"John Stevenson"

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John Stevenson,  
Secretary to the Ontario Securities Commission