

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

- AND -

**IN THE MATTER OF
JAMES PATRICK BOYLE, LAWRENCE MELNICK,
AND JOHN MICHAEL MALONE**

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

TAKE NOTICE THAT the Ontario Securities Commission (the “Commission”) will hold a hearing pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the “Act”) at the offices of the Commission, 20 Queen Street West, 17th Floor, Large Hearing Room, commencing on September 15, 2005 at 2:30 p.m. or as soon thereafter as the hearing can be held:

AND TAKE NOTICE THAT the purpose of the hearing is to consider whether it is in the public interest for the Commission to make an order that:

- (a) pursuant to section 127(1)2, trading in any securities by James Patrick Boyle (“Boyle”), Lawrence Melnick (“Melnick”) and John Michael Malone (“Malone”) cease permanently or for such other period as specified by the Commission;
- (b) pursuant to section 127(1)3, any exemptions contained in Ontario securities law do not apply to Boyle, Melnick and Malone permanently or for such other period as specified by the Commission;
- (c) pursuant to section 127(1)8, Boyle, Melnick and Malone be prohibited from becoming or acting as a director or officer of any issuer;

- (d) pursuant to section 127(1)7, Boyle, Melnick and Malone resign one or more positions they hold as a director or officer of an issuer;
- (e) pursuant to section 127(1)10, Boyle and Melnick disgorge to the Commission all amounts obtained as a result of their non-compliance with Ontario securities law, including all amounts obtained by Gobitan Systems Inc.;
- (f) pursuant to section 127 (1)6, Boyle, Melnick and Malone be reprimanded;
- (g) pursuant to section 127.1, Boyle, Melnick and Malone be ordered to pay the costs of the investigation and the costs of or related to the hearing incurred by or on behalf of the Commission; and
- (h) such other order as the Commission may consider appropriate.

BY REASON OF the allegations set out in the Statement of Allegations of Staff dated August 5, 2005 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 in the event that the Commission determines that any of Boyle, Melnick and Malone has not complied with Ontario securities law, Staff will request the Commission to consider whether, in the opinion of the Commission, application should be made to the Superior Court of Justice for a declaration pursuant to section 128(1) of the Act that such persons have not complied with Ontario securities law, and that if such declaration be made, the Superior Court of Justice make such orders pursuant to section 128(3) of the Act as it considers appropriate;

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 5th day of August, 2005.

"John Stevenson"

John Stevenson
Secretary to the Commission

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