

## **Ontario Security Commission**

### **IN THE MATTER OF Donald Mason APPLICATION For Hearing and Review of a Decision Under Section [8 or 21.7] of the *Securities Act*, RSO 1990, c S.5)**

#### **NOTICE OF REQUEST FOR A HEARING AND REVIEW**

**TAKE NOTICE THAT** Donald Mason request a hearing and review by the Ontario Securities Commission (the "commission")' pursuant to s.8(2) of the Ontario Securities Act , of the Decision and Reason of Director Debra Foubert of the Ontario Security Commission in an Opportunity to be Heard under s.31 of Security Act dated 30 Oct 2017, Imposing Restrictions based on staff recommendations to place restriction on registration.

#### **A. ORDER SOUGHT**

The Applicant, Donald Mason, request that the Ontario Securities Commission make the following order(s):

1. An Order setting aside the Decision and Reasons of Director Debra Foubert dated 30 November 2017 ("Decision") remitting the matter for a hearing *de novo* before a newly constituted panel of the commission and
2. Such further and other relief as counsel may request and this Honourable Commission deem just.

#### **B. GROUNDS**

The grounds for the request and the reasons for seeking a hearing and review are:

1. The Decision is based solely on past cases without regards for the individual's religious beliefs and work ethics.
2. Not showing actual proof in all seven hundred plus cases, that the individual's religious beliefs and care giving/ humanitarian efforts were not adversely affected or their income was not adversely affected.
3. Proper studies and evidence that these restrictions have stopped any or greatly reduced any infractions that would have occurred if these restriction where not in place.
4. Lesser more direct restrictions could be discussed to achieve that same response without using such a overly broad sweeping restriction.

**C. DOCUMENTS AND EVIDENCE**

The Applicant(s) intend(s) to rely on the following documents and evidence at the hearing:

*(a) (The decision that is the subject of the request for a hearing and review and the related reasons, if reasons were given;) This will be requested when the Director returns from vacation on the 8<sup>th</sup> January 2018*

*(b) The application or other document by which the original proceeding was commenced;*

*(c) Any interim orders made in the original proceeding;*


*(d) Any documentary evidence filed in the original proceeding, subject to any limitation expressly imposed by any statute, regulation or rules;20*

*(e) Any other relevant documents in the original proceeding;*

*(f) Any transcript of the oral evidence given at the original hearing.*

**DATED** this 29 day of December 2017

Donald Mason

  
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