

Ontario Securities Commission Commission des valeurs mobilières de l'Ontario

22<sup>nd</sup> Floor 20 Queen Street West Toronto ON M5H 3S8 22e étage 20, rue Queen ouest Toronto ON M5H 3S8

#### IN THE MATTER OF

SEAN DALEY; and SEAN DALEY carrying on business as the ASCENSION FOUNDATION, OTO.Money, SilentVault, and CryptoWealth; WEALTH DISTRIBUTED CORP.; CYBERVISION MMX INC.; KEVIN WILKERSON; and AUG ENTERPRISES INC.

# MOTION OF STAFF OF THE ONTARIO SECURITIES COMMISSION

(For Extension of a Temporary Order Subsections 127(8) and 127(1) of the *Securities Act*, RSO 1990, c S.5)

## A. ORDERS SOUGHT

Staff of the Ontario Securities Commission ("Staff"), requests that the Ontario Securities Commission (the "Commission") make the following orders:

- 1. An order extending the Temporary Order of the Commission made with respect to Sean Daley ("Daley"), Daley carrying on business as the Ascension Foundation, OTO.Money, SilentVault, and CryptoWealth., and Wealth Distributed Corp. ("Wealth Distributed"), Cybervision MMX Inc. ("CyberVision"), Kevin Wilkerson ("Wilkerson"), and Aug Enterprises Inc. ("Aug Enterprises"), dated August 6, 2019, for such period as it considers necessary if satisfactory information is not provided to the Commission within the fifteen-day period after the Temporary Order was made, pursuant to subsection 127(8) of the Securities Act, RSO 1990, c S.5 (the "Act");
- 2. If necessary, an order abridging the time required for service pursuant to Rules 3 and 4(2) of the Ontario Securities Commission Rules of Procedure; and
- 3. Such other Order as the Commission considers appropriate in the public interest.

#### B. GROUNDS

The grounds for the request are:

- 1. In July 2018, Staff commenced an investigation into Daley, Ascension Foundation, OTO.Money, SilentVault, and CryptoWealth;
- During the course of the investigation, Staff found evidence that Daley; Daley carrying on business as Ascension Foundation, OTO.Money, SilentVault, and CryptoWealth; Wealth Distributed; Cybervision; Wilkerson; and Aug Enterprises appeared to be trading or acting in furtherance of trades without being registered to trade and without a prospectus having been filed and receipted contrary to sections 25 and 53 of the Act, respectively;
- 3. On August 6, 2019, the Commission issued a temporary order (the "Temporary Order").
- 4. The Temporary Order provided that:
  - all trading in any securities by Daley, and Daley carrying on business as Ascension,
     OTO.Money, SilentVault, and CryptoWealth.com, and Wealth Distributed,
     Cybervision, Wilkerson, and Aug Enterprises shall cease;
  - b. all trading in 'overcome the odds' vouchers, also known as OTO. Vouchers and Lyra shall cease;
  - c. any exemptions contained in Ontario securities law do not apply to Daley; Daley carrying on business as Ascension, OTO.Money, SilentVault, and CryptoWealth, and Wealth Distributed, Cybervision, Wilkerson, and Aug Enterprises;
  - d. the Temporary Order shall take effect on August 6, 2019 and shall expire on the 15th day after its making unless extended by order of the Commission;
- 5. The investigation into the conduct described in the Temporary Order is continuing;
- 6. The Respondents have obstructed Staff's investigation;

- 7. The order was extended on August 16, 2019 to September 24, 2019. Staff seek to further extend the Temporary Order made on August 6, 2019;
- 8. Subsections 127(1) and 127(8) of the Act; and
- 9. Such further and other grounds as counsel may advise and the Commission may permit.

## C. EVIDENCE

Staff intends to rely on the following evidence at the hearing:

1. The Affidavit of Kevin Dusseldorp dated August 7, 2019 previously filed.

Date: September 23, 2019

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