

**IN THE MATTER OF THE SECURITIES ACT,
R.S.O. 1990, c. S.5, as amended**

- and -

IN THE MATTER OF ALLAN EIZENGA

ORDER (Section 127)

WHEREAS by temporary order dated September 24, 1998, the Ontario Securities Commission (the “Commission”) ordered that the exemptions contained in ss. 35(1)21 and 35(2)10 of the the *Securities Act* R.S.O. 1990 c. S.5 (the “Act”) do not apply to Allan Eizenga (the “Temporary Order”). The Temporary Order was extended by Commission Orders dated October 9, 1998 and February 4, 1999.

AND WHEREAS on May 21, 2004, the Commission issued an Amended Notice of Hearing and Statement of Allegations pursuant to sections 127 and 127.1 in respect of Allan Eizenga (“Eizenga”) and others;

AND WHEREAS Eizenga entered into a settlement agreement with Staff of the Commission dated August 29, 2005 (the “Settlement Agreement”) in which he agreed to a proposed settlement of the proceeding, subject to the approval of the Commission;

AND WHEREAS in addition to the terms of the order below, Eizenga has undertaken as follows:

- (a) Any existing accounts not in Eizenga’s name but in which he has a beneficial ownership or interest will be closed within 10 days of the approval of this settlement agreement;
- (b) Eizenga undertakes to never apply for registration or recognition of any kind under Ontario securities law or any other Canadian securities legislation; and
- (c) Eizenga undertakes to cooperate fully with Staff in connection with the outstanding Saxton-related proceeding.

AND UPON reviewing the Settlement Agreement and the Amended Statement of Allegations of Staff of the Commission, and upon hearing submissions from counsel for Eizenga and from counsel for Staff of the Commission;

AND WHEREAS the Commission is of the opinion that it is in the public interest to make this Order;

IT IS THEREFORE ORDERED THAT:

1. the Settlement Agreement is approved;
2. the exemptions contained in Ontario securities law do not apply to Eizenga and Eizenga must cease trading in securities for twenty two years with the exception that, after ten years from the date of the approval of this settlement, Eizenga is permitted to trade securities for the account of his registered retirement savings plan (as defined in the *Income Tax Act (Canada)*) if the securities are:
 - (a) referred to in clause 1 of subsection 35(2) of the Act; or
 - (b) listed and posted for trading on the TSX or NYSE (or their successor exchanges); or
 - (c) issued by mutual funds that are reporting issuers in Ontario;
3. Eizenga must resign any position that he holds as director or officer of any issuer;
4. Eizenga is prohibited from becoming or acting as a director or officer of any issuer for twenty five years;
5. Eizenga is reprimanded; and
6. the Temporary Order is rescinded.

DATED at Toronto this 29th day of August, 2005.

“Robert W. Davis”

Robert W. Davis

“David L. Knight”

David L. Knight