

**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**

**O R D E R**

**WHEREAS** on August 5, 2005, the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing and Statement of Allegations pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the “Act”);

**AND WHEREAS** the hearing of this matter was scheduled to be heard on September 15, 2005;

**AND WHEREAS** by order of the Commission on September 15, 2005, this matter was adjourned to October 27, 2005;

**AND WHEREAS** counsel for Staff and the respondents appeared on October 27, 2005 whereupon a motion was set down for January 25, 2006;

**AND WHEREAS** on December 21, 2005, the Commission ordered, *inter alia*, that the motion to be brought by the respondent James Patrick Boyle (“Boyle”), and by one or both of the other respondents should they so advise, in respect of section 129.1 of the Act would be heard on Friday, February 3, 2006, and that the parties to the motion would agree to a schedule for the

exchange of materials, failing which a schedule for the exchange of materials would be set by the Office of the Secretary;

**AND WHEREAS** on February 2, 2006, counsel for the moving parties Boyle and Lawrence Melnick agreed to a schedule for the exchange of materials, subject to confirmation with the Secretary on Tuesday, February 7, 2006;

**AND WHEREAS** by order of the Commission dated February 3, 2006, the hearing of the motion in respect of section 129.1 of the Act was scheduled for Thursday, February 23 and Friday, February 24, 2006.

**AND WHEREAS** February 24, 2006 is no longer a date available for the hearing of this motion;

**AND UPON CONSIDERING** the consent of Staff of the Commission and of the respondents Boyle and Melnick to have the hearing of the motion held on February 23 and 27, 2006.

**IT IS HEREBY ORDERED THAT:**

The motion in respect of section 129.1 of the Act is hereby scheduled for Thursday, February 23, 2006 at 10:00 a.m. and Monday, February 27, 2006 at 9:00 a.m.

**DATED** at Toronto this 15<sup>th</sup> day of February, 2006.

“Paul M. Moore”

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Paul M. Moore