

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

-and-

**IN THE MATTER OF BIOVAIL CORPORATION, EUGENE N. MELNYK,
BRIAN H. CROMBIE, JOHN R. MISZUK and KENNETH G. HOWLING**

ORDER

WHEREAS on March 24, 2008 the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990 c. S.5, as amended in respect of Biovail Corporation, Eugene N. Melnyk, Brian H. Crombie, John R. Miszuk and Kenneth G. Howling (together, the “Respondents”);

AND WHEREAS the first appearance in this proceeding, for the purpose of setting further hearing dates, is currently scheduled for April 22, 2008;

AND WHEREAS Staff of the Commission and the Respondents have agreed to schedule the hearing on the merits in this matter for the following dates: February 2, 2009 to March 13, 2009;

IT IS HEREBY ORDERED THAT the hearing on the merits in this matter is scheduled to commence on February 2, 2009 and shall continue until March 13, 2009, or such other dates as may be agreed to by the parties and fixed by the Secretary to the Commission.

DATED at Toronto this 15th day of April, 2008.

“James E.A. Turner”
James E.A. Turner

“Carol S. Perry”
Carol S. Perry