



Ontario  
Securities  
Commission

Commission des  
valeurs mobilières  
de l'Ontario

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**IN THE MATTER OF THE *SECURITIES ACT*,  
R.S.O. 1990, c. S.5, as amended (“the Act”)**

**- and -**

**IN THE MATTER OF  
JOHN ILLIDGE, PATRICIA McLEAN, DAVID CATHCART,  
STAFFORD KELLEY and DEVENDRANAUTH MISIR**

**ORDER  
(Section 127 of the *Securities Act*)**

**WHEREAS** the hearing of the merits in this matter is set down to be heard by the Ontario Securities Commission (the “Commission”) commencing on December 8, 2008, and continuing for two weeks; excepting December 9, 2008;

**AND WHEREAS** settlement agreements between Staff of the Commission (“Staff”) and Stafford Kelley, John Illidge and Patricia McLean were approved by the Commission on May 12, 2008, May 15, 2008 and September 8, 2008 respectively;

**AND WHEREAS** the hearing of this matter will proceed against David Cathcart and Devendranauth Misir (“Misir”);

**AND WHEREAS** Misir may call expert evidence on the issue of the authenticity of certain documents that Staff proposes to tender, the originals of which documents have not yet been disclosed;

**AND WHEREAS** on November 6, 2008, the Commission heard Misir’s motion for disclosure of the documents and to adjourn the hearing of this matter (the “Motion”);

**AND WHEREAS** on November 6, 2008, the Commission, upon hearing the submissions of counsel for Misir and for Staff, adjourned the hearing of the Motion to November 12, 2008;

**AND WHEREAS** on November 12, 2008, the Commission heard further submissions from counsel for Misir and for Staff with respect to the Motion;

**AND WHEREAS** it is in the public interest to make this order;

**IT IS HEREBY ORDERED THAT:**

The hearing of the Motion is adjourned to November 24, 2008, at 9:00 a.m.

Dated in Toronto this 12<sup>th</sup> day of November, 2008.

*“Wendell S. Wigle”*

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Wendell S. Wigle, QC

*“David L. Knight”*

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David L. Knight, FCA

*“Carol S. Perry”*

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Carol S. Perry