



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**

- and -

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

**ORDER  
(Sections 127 and 127.1)**

**WHEREAS** on March 24, 2008 the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing and related Statement of Allegations (the “Notice of Hearing”) against Biovail Corporation (“Biovail”), Eugene N. Melnyk (“Melnyk”), Brian H. Crombie (“Crombie”), John R. Miszuk (“Miszuk”) and Kenneth G. Howling (“Howling”);

**AND WHEREAS** the Commission has approved settlement agreements reached with Biovail, Miszuk and Howling;

**AND WHEREAS** Staff of the Commission and Crombie have requested that the hearing on the merits in this matter be adjourned to begin on Wednesday, February 18, 2009;

**AND WHEREAS** Melnyk has indicated to the Commission that he does not oppose this request;

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

**IT IS HEREBY ORDERED** that the hearing in this matter be adjourned to commence on Wednesday, February 18, 2009 at 10:00 am.

Dated at Toronto this 5<sup>th</sup> day of February, 2009.

          "James E. A. Turner"