



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 REX DIAMOND MINING CORPORATION  
SERGE MULLER AND BENOIT HOLEMANS**

**ORDER  
(Section 9 of the *Securities Act*)**

**THIS MOTION**, made by the Respondents for an Order staying the Order of the Commission made on August 11, 2009, pending the disposition of the Respondents' appeal to the Divisional Court pursuant to section 9 of the *Securities Act*, was heard this day at the Ontario Securities Commission, 20 Queen Street West, Toronto, Ontario, M5H 3S8

**WHEREAS** on August 21, 2008, the Commission issued its decision and reasons in respect of this matter, in which it found breaches of the *Securities Act* by the Respondents, which decision is under appeal to the Divisional Court pursuant to section 9 of the *Securities Act*;

**AND WHEREAS** on August 11, 2009, the Commission made an Order directing sanctions against the Respondents;

**AND WHEREAS** the appeal by the Respondents was perfected on October 9, 2009 and the Divisional Court has listed the matter, court file no. 474/08, for hearing; and

**AND WHEREAS** Rex Diamond Mining Corporation represents that it continues to be a reporting issuer but has no active business;

**AND ON READING** the consent of the parties filed;

**THE COMMISSION ORDERS** that the Order of August 11, 2009 is stayed pending the disposition of the appeal by the Divisional Court to the following extent:

- (a) Serge Muller and Benoit Holemans may continue to act as officers and/or directors of Rex Diamond Mining Corporation; and
- (b) all monetary orders of the Commission made August 11, 2009 are stayed pending the disposition of the appeal by the Divisional Court.

Dated this 2<sup>nd</sup> day of December, 2009

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"David L. Knight"  
David L. Knight

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"Kevin J. Kelly"  
Kevin J. Kelly