



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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Toronto ON M5H 3S8

**IN THE MATTER OF THE *SECURITIES ACT*
R.S.O. 1990, c. S.5, AS AMENDED**

- AND -

**IN THE MATTER OF
FACTORCORP INC., FACTORCORP FINANCIAL INC., AND
MARK IVAN TWERDUN**

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

WHEREAS on May 12, 2009 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, accompanied by a Statement of Allegations (the “Statement of Allegations”) issued by Staff of the Commission on the same date against Factorcorp Inc., Factorcorp Financial Inc., and Mark Twerdun (“Twerdun”);

AND WHEREAS on May 12, 2009 a temporary order was continued against Twerdun, as varied on October 26, 2007, until this proceeding is concluded and a decision of the Commission is rendered or until the Commission considers it appropriate;

AND WHEREAS Twerdun brought a motion for particulars by Notice of Motion dated September 25, 2009;

AND WHEREAS on October 5, 2009, Staff consented to an order that it provide a reply to the demand for particulars;

AND WHEREAS Staff provided a reply to the demand for particulars on November 2, 2009 with the agreement of Twerdun;

AND WHEREAS a motion date has been set for February 4, 2010 at the request of Twerdun to address an issue in respect of the cooperation of witnesses;

AND WHEREAS counsel for Staff and Twerdun agreed that this matter be adjourned for a pre-hearing conference on February 4, 2010 if the motion does not proceed;

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

IT IS HEREBY ORDERED that

- (1) A motion to be brought by Twerdun is set for February 4, 2010 at 10:00 a.m.; and
- (2) This matter is adjourned until February 4, 2010 at 10:00 a.m., or such other date as determined by the Office of the Secretary, for the purpose of having a pre-hearing conference on that date.

DATED at Toronto, this 16th day of December 2009.

“David L. Knight”

David L. Knight, F.C.A.