



Ontario
Securities
Commission

Commission des
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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 YORK RIO RESOURCES INC., BRILLIANTE BRASILCAN
RESOURCES CORP., VICTOR YORK, ROBERT RUNIC, GEORGE SCHWARTZ,
PETER ROBINSON, ADAM SHERMAN, RYAN DEMCHUK, MATTHEW OLIVER,
GORDON VALDE AND SCOTT BASSINGDALE**

**ORDER
(Pursuant to Section 152 of the *Securities Act*)**

WHEREAS on March 2, 2010 a Notice of Hearing and Statement of Allegations were issued against York Rio Resources Inc., Brilliante Brasilcan Resources Corp., Victor York, Robert Runic, George Schwartz, Peter Robinson, Adam Sherman, Ryan Demchuk, Matthew Oliver, Gordon Valde and Scott Bassingdale (the "Proceedings");

AND WHEREAS on March 21, 2011, Staff of the Commission ("Staff") brought a motion seeking the direction of the Ontario Securities Commission (the "Commission") authorizing Staff's application to the Ontario Superior Court of Justice for an Order appointing a person to take the evidence outside of Ontario of Wayne Koch and Robert Palkowski (the "BC Witnesses");

AND WHEREAS the BC Witnesses have relevant evidence to provide at the hearing of the Proceedings;

IT IS HEREBY ORDERED THAT Staff may make an application to the Ontario Superior Court of Justice for an Order pursuant to section 152 of the *Securities Act*, R.S.O. 1990, c.S.5, as amended:

- (a) appointing the members of the Hearing Panel to take the evidence outside of Ontario of the BC Witnesses for use in this proceeding before the Commission;
- (b) providing for the issuance of a letter of request directed to the judicial authorities of the British Columbia Supreme Court (the “BC Court”), requesting the issuance of such process as is necessary to compel the BC Witnesses to attend before the members of the Hearing Panel to give testimony on oath or otherwise and to produce documents and things relevant to the subject matter of this proceeding;
- (c) providing that the examinations of the BC Witnesses (the “Examinations”) shall take place in Vancouver during the week of May 2, 2011, or at such other time no later than May 9, 2011 as may be ordered by the BC Court;
- (d) prescribing that the procedural and evidentiary rules of Ontario will apply to the Examinations to the extent permissible by the laws of British Columbia; and
- (e) providing that the Examinations shall be conducted via videolink to the Commission’s hearing in this matter so that the members of the Hearing Panel in the Proceeding, sitting in Toronto, are able to observe and participate in the Examinations and make any required evidentiary rulings.

Dated at Toronto this 21st day of March, 2011.

“Vern Krishna”

“Edward Kerwin”

Vern Krishna

Edward Kerwin