



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
IMAGIN DIAGNOSTIC CENTRES INC., PATRICK J. ROONEY,
CYNTHIA JORDAN, ALLAN McCAFFREY, MICHAEL SHUMACHER,
CHRISTOPHER SMITH, MELVYN HARRIS and MICHAEL ZELYONY**

**ORDER
(Sections 127 and 127.1 of the *Securities Act*)**

WHEREAS on September 27, 2007, a Statement of Allegations was issued and on September 28, 2007 a Notice of Hearing was issued pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the “Act”), to consider whether IMAGIN Diagnostic Centres Inc. (“IMAGIN”), Patrick J. Rooney (“Mr. Rooney”), Cynthia Jordan (“Ms. Jordan”), Allan McCaffrey (“Mr. McCaffrey”), Michael Shumacher (“Mr. Shumacher”), Christopher Smith (“Mr. Smith”), Melvyn Harris (“Mr. Harris”) and Michael Zelyony (“Mr. Zelyony”) breached subsection 25(1)(a) of the Act and engaged in conduct contrary to the public interest;

AND WHEREAS prior to the hearing on the merits, Ms. Jordan, Mr. McCaffrey, Mr. Shumacher, Mr. Smith and Mr. Zelyony settled with the Commission (*Re IMAGIN et al.* (2009), 32 O.S.C.B. 1441 (oral reasons)), and Mr. Harris passed away prior to the commencement of the merits hearing and Staff of the Commission (“Staff”) did not proceed with the allegations against this individual;

AND WHEREAS the Commission conducted the hearing on the merits in this matter with respect to IMAGIN and Mr. Rooney on May 19, 20, and 21, June 16, 17, 18, and 19, September 8, 9, and 10 and November 11, 2009;

AND WHEREAS the Commission issued its Reasons and Decision on the merits in this matter on August 31, 2010 (the “Merits Decision”);

AND WHEREAS the Commission is satisfied that Mr. Rooney and IMAGIN have not complied with Ontario securities law and have not acted in the public interest, as outlined in the Merits Decision;

AND WHEREAS the Commission conducted a hearing with respect to sanctions and costs on November 12, 2010 (the “Sanctions and Costs Hearing”);

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

IT IS HEREBY ORDERED:

- (a) pursuant to paragraph 2 of subsection 127(1) of the Act, Mr. Rooney cease trading in securities of IMAGIN permanently;
- (b) pursuant to paragraph 3 of subsection 127(1) of the Act, any exemptions in Ontario securities law do not apply to Mr. Rooney or IMAGIN for a period of 15 years;
- (c) pursuant to paragraph 6 of subsection 127(1) of the Act, Mr. Rooney is reprimanded;
- (d) pursuant to paragraph 7 of subsection 127(1) of the Act, Mr. Rooney resign any position he holds as a director or officer of any issuer;
- (e) pursuant to paragraph 8 of subsection 127(1) of the Act, Mr. Rooney is prohibited from acting as a director or officer of any issuer for a period of 15 years;
- (f) pursuant to subsections 127.1(1) and (2) of the Act, Mr. Rooney and IMAGIN are jointly and severally liable to pay the sum of \$57,482.50 toward the costs of the hearing that were incurred by the Commission; and

- (g) pursuant to subsection 37(1)(b) of the Act, Mr. Rooney and IMAGIN are prohibited from telephoning from within Ontario to any residence within or outside Ontario for the purpose of trading in any security or in any class of securities, except that Mr. Rooney may telephone a registrant for the purpose of issuing trading instructions.

Dated at Toronto, Ontario this 30th day of June 2011.

“Mary G. Condon”

Mary G. Condon

“Margot C. Howard”

Margot C. Howard