



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
GLOBAL PARTNERS CAPITAL, ASIA PACIFIC ENERGY, INC., 1666475
ONTARIO INC. operating as “ASIAN PACIFIC ENERGY”, ALEX PIDGEON,
KIT CHING PAN also known as Christine Pan, HAU WAI CHEUNG, also known
as Peter Cheung, Tony Cheung, Mike Davidson, or Peter McDonald, GURDIP
SINGH GAHUNIA also known as Michael Gahunia or Shawn Miller, BASIL
MARCELLINIUS TOUSSAINT also known as Peter Beckford, and RAFIQUE
JIWANI also known as Ralph Jay**

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

WHEREAS on September 11, 2008, a Statement of Allegations and a Notice of Hearing were issued pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the “**Act**”), in respect of Global Partners Capital (“**GPC**”); Asia Pacific Energy, Inc. (“**Asia Pacific**”); 1666475 Ontario Inc. operating as “Asian Pacific Energy” (“**1666475**”); Alex Pidgeon (“**Pidgeon**”); Kit Ching Pan also known as Christine Pan (“**Pan**”); Hau Wai Cheung also known as Peter Cheung, Tony Cheung, Mike Davidson, or Peter McDonald (“**Cheung**”); Gurdip Singh Gahunia also known as Michael Gahunia or Shawn Miller (“**Gahunia**”); Basil Marcellinius Toussaint also known as Peter Beckford (“**Toussaint**”); and Rafique Jiwani also known as Ralph Jay (“**Jiwani**”) (collectively, the “**Respondents**”);

WHEREAS the Commission conducted the hearing on the merits in this matter on May 25, 28 and 29, 2009 and June 1 and 2, 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 the Respondents carried out a fraudulent investment scheme, have not complied with Ontario securities law and have acted contrary to the public interest, as described in the Merits Decision;

AND WHEREAS the Commission conducted a hearing with respect to the sanctions and costs to be imposed in this matter on January 7, 2011;

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

IT IS HEREBY ORDERED THAT:

- (a) Pursuant to paragraph 2 of subsection 127(1) of the Act, each of GPC, Asia Pacific, 1666475, Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani shall cease trading securities permanently, with the exception that Gahunia is permitted to trade in securities in mutual funds through a registered dealer for the account of his registered retirement savings plan (as defined in the *Income Tax Act* (Canada));
- (b) Pursuant to paragraph 2.1 of subsection 127(1) of the Act, the acquisition of securities by each of GPC, Asia Pacific, 1666475, Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani is prohibited permanently, except in the case of Gahunia, to allow the trading in securities permitted by and in accordance with paragraph (a) of this order;
- (c) Pursuant to paragraph 3 of subsection 127(1) of the Act, any exemptions contained in Ontario securities law do not apply permanently to each of GPC, Asia Pacific, 1666475, Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani;
- (d) Pursuant to paragraph 6 of subsection 127(1) of the Act, Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani are reprimanded;

- (e) Pursuant to paragraph 7 of subsection 127(1) of the Act, each of Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani shall immediately resign any position he or she holds as a director or officer of an issuer;
- (f) Pursuant to paragraph 8 of subsection 127(1) of the Act, each of Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani is prohibited permanently from becoming or acting as a director or officer of an issuer;
- (g) Pursuant to paragraph 8.2 of subsection 127(1) of the Act, each of Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani is prohibited permanently from becoming or acting as a director or officer of a registrant;
- (h) Pursuant to paragraph 8.4 of subsection 127(1) of the Act, each of Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani is prohibited permanently from becoming or acting as a director or officer of an investment fund manager;
- (i) Pursuant to paragraph 9 of subsection 127(1) of the Act, each of Pidgeon, Pan, Cheung, Gahunia, Toussaint and Jiwani shall pay an administrative penalty in the following amounts:
 - (i) Pan shall pay an administrative penalty of \$350,000;
 - (ii) Pidgeon, Cheung, and Jiwani shall each pay an administrative penalty of \$300,000; and
 - (iii) Gahunia and Toussaint shall each pay an administrative penalty of \$100,000;
- (j) Pursuant to paragraph 10 of subsection 127(1) of the Act, the Respondents shall disgorge to the Commission the following amounts:
 - (i) GPC, Asia Pacific, 1666475, Pan, Cheung, Pidgeon and Jiwani shall jointly and severally disgorge to the Commission \$1,702,744;

- (ii) Gahunia and GPC, Asia Pacific, 1666475, Pan, Cheung, Pidgeon and Jiwani shall jointly and severally disgorge to the Commission \$339,628; and
- (iii) Toussaint and GPC, Asia Pacific, 1666475, Pan, Cheung, Pidgeon and Jiwani shall jointly and severally disgorge to the Commission \$101,087;
- (k) The amounts referred to in paragraphs (i) and (j) of this order shall be allocated by the Commission to or for the benefit of third parties, including investors who lost money as a result of investing in the investment scheme that was the subject matter of this proceeding, in accordance with subsection 3.4(2)(b) of the Act;
- (l) Pursuant to section 127.1 of the Act, the Respondents shall pay the following amounts towards the Commission's hearing costs in this matter:
 - (i) Cheung and Jiwani shall each pay costs of \$10,000;
 - (ii) Gahunia and Toussaint shall each pay costs of \$14,000; and
 - (iii) GPC, Asia Pacific, 1666475, Pidgeon and Pan shall jointly and severally pay costs of \$37,758.94.

DATED at Toronto this 21st day of September, 2011.

“Paulette L. Kennedy”

Paulette L. Kennedy

“Mary G. Condon”

Mary G. Condon