



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  
DAVID CHARLES PHILLIPS and JOHN RUSSELL WILSON**

**ORDER**

**(Rule 6 of the Ontario Securities Commission's  
*Rules of Procedure* (2010), 33 O.S.C.B. 8017)**

**WHEREAS** on June 4, 2012, the Ontario Securities Commission (the "Commission") issued a Notice of Hearing and a Statement of Allegations issued by Staff of the Commission ("Staff") against David Charles Phillips ("Phillips") and John Russell Wilson ("Wilson") (together, the "Respondents");

**AND WHEREAS** pursuant to the Notice of Hearing an attendance in this matter was held on June 25, 2012 at which time the Commission adjourned the matter to Tuesday, August 28, 2012;

**AND WHEREAS** at an attendance held on August 28, 2012, the Commission ordered that the hearing on the merits shall commence on February 11, 2013 and continue, if necessary, until March 6, 2013, except for February 12, 18 and 26, 2013 (the "Merits Hearing");

**AND WHEREAS** at a Pre-Hearing Conference held on October 12, 2012, the Commission heard submissions from Staff and from counsel for the Respondents;

**AND WHEREAS** counsel for the Respondents advised that the Respondents will bring a motion for further disclosure from Staff (the "Disclosure Motion") pursuant to Rule 4.3 of the Commission's *Rules of Procedure* (2010), 33 O.S.C.B. 8017 (the "Rules") and may bring a

motion for adjournment of the Merits Hearing pursuant to Rule 9 of the Rules (the “Adjournment Motion”);

**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. this Pre-Hearing Conference is adjourned to a motion hearing to be held on November 26, 2012, at 10:00 a.m.; and
2. the materials for the Disclosure Motion and any Adjournment Motion shall be served and filed in accordance with Rule 3 of the Rules.

DATED at Toronto this 12th day of October, 2012.

*“James D. Carnwath”*

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James D. Carnwath