



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  
JOWDAT WAHEED and BRUCE WALTER**

**CONFIDENTIAL ORDER**

**[Editor's Note: Made public on January 16, 2013]**

**WHEREAS** on January 9, 2012, 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, as amended (the "Act") in connection with a Statement of Allegations filed by Staff of the Commission ("Staff") on January 9, 2012 with respect to Jowdat Waheed ("Waheed") and Bruce Walter ("Walter");

**AND WHEREAS** the hearing on the merits in this matter will begin on January 14, 2013;

**AND WHEREAS** on November 29, 2012, Staff issued a summons pursuant to section 13 of the Act to William Gula ("Gula"), a former partner at the Davies Ward Phillips & Vineberg LLP law firm ("Davies"), directing him to attend at the Commission for a compelled examination on December 7, 2012 (the "Gula Summons");

**AND WHEREAS** on November 30, 2012, Staff issued a summons pursuant to section 13 of the Act to Steven Harris ("Harris"), a partner at Davies, directing him to attend at the Commission for a compelled examination on December 14, 2012 (the "Harris Summons");

**AND WHEREAS** by three Notices of Motion dated, respectively, December 4, 5 and 10, 2012, Waheed, Walter and both of Gula and Harris brought motions requesting:

- (a) An order that the Gula Summons and the Harris Summons be quashed; and
- (b) An order prohibiting Staff from obtaining or issuing further summonses to current or former lawyers or law students of Davies; or
- (c) In the alternative, an order permitting counsel for the Respondents to attend any examinations of Gula, Harris or any current or former lawyer or law student of Davies by Staff, and to participate in such interview for the purpose of asserting and protecting the privilege of the Respondents and Nunavut Iron Ore Acquisition Inc.;

**AND WHEREAS** the proposed examinations were adjourned pending the resolution of the motions;

**AND WHEREAS** a hearing to consider the motions was held on December 12, 2012, at which counsel for Waheed, counsel for Walter, counsel for Gula and Harris, and counsel for Staff appeared and made submissions;

**AND WHEREAS** the Commission issued its Confidential Reasons and Decision on a Motion to Quash Summonses on December 20, 2012;

**IT IS ORDERED** that the Gula Summons and the Harris Summons are quashed.

**DATED** at Toronto this 20<sup>th</sup> day of December, 2012.

*“Christopher Portner”*

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Christopher Portner