



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
DAVID CHARLES PHILLIPS and JOHN RUSSELL WILSON**

ORDER

**(Rule 9 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 was filed 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 Disclosure Motion was heard on November 26, 2012 and the Reasons and Decision on the Motion were issued on November 30, 2012;

AND WHEREAS on January 23, 2013, the Respondents sought an adjournment of the Merits Hearing pursuant to Rule 9 of the Rules, and Staff consented to the request;

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

IT IS HEREBY ORDERED THAT the Merits Hearing is adjourned and shall commence on Monday, June 3, 2013 and continue, if necessary, until June 25, 2013, except for June 4 and June 18, 2013.

DATED at Toronto this 25th day of January, 2013.

“Edward P. Kerwin”

Edward P. Kerwin