



Ontario
Securities
Commission
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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 AN APPLICATION FOR A HEARING AND REVIEW OF
A DECISION OF THE ONTARIO COUNCIL OF THE INVESTMENT
INDUSTRY REGULATORY ORGANIZATION OF CANADA, PURSUANT TO
SECTION 21.7 OF THE *SECURITIES ACT*, R.S.O. 1990, c. S.5, AS AMENDED**

- and -

**IN THE MATTER OF DISCIPLINE PROCEEDINGS PURSUANT TO THE BY-
LAWS OF THE INVESTMENT DEALERS ASSOCIATION OF CANADA AND
THE DEALER MEMBER RULES OF THE INVESTMENT INDUSTRY
REGULATORY ORGANIZATION OF CANADA**

**BETWEEN
STAFF OF THE INVESTMENT INDUSTRY
REGULATORY ORGANIZATION OF CANADA**

- and -

ROGER CARL SCHOER

**ORDER
(Section 127)**

WHEREAS on July 24, 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”) to hold a hearing pursuant to section 21.7 of the Act to consider the application made by Roger Carl Schoer (the “Applicant”) for a review of a decision of the Investment Industry Regulatory Organization of Canada (“IIROC”) made May 26, 2011 (the “Application”);

AND WHEREAS the Application was scheduled to be heard by the Commission on September 18, 2012 at 10:00 a.m.;

AND WHEREAS on September 16, 2012, the Application was adjourned on consent to November 16, 2012, for the purpose of allowing the Applicant to retain legal counsel;

AND WHEREAS on November 16, 2012, Staff of the Commission, IIROC Staff and the Applicant appeared before the Commission;

AND WHEREAS the Applicant requested a further adjournment of this matter for the purpose of retaining legal counsel, IIROC and Commission Staff objected to an adjournment, and all of the parties made submissions regarding the adjournment request;

AND WHEREAS the Application was adjourned to January 14, 2013 on a peremptory basis, for the purpose of allowing the Applicant to retain legal counsel;

AND WHEREAS on January 14, 2013, Staff of the Commission, IIROC Staff and the Applicant appeared before the Commission, and the Applicant requested a further adjournment of this matter for the purpose of retaining legal counsel, IIROC and Commission Staff objected to an adjournment, and all of the parties made submissions regarding the adjournment request;

AND WHEREAS the Application was adjourned to January 22, 2013, for the purpose of allowing the Applicant to retain legal counsel;

AND WHEREAS on January 22, 2013, Staff of the Commission, IIROC Staff and the Applicant appeared before the Commission, and the Applicant requested a further adjournment of this matter for the purpose of retaining legal counsel, IIROC and Commission Staff objected to an adjournment, and all of the parties made submissions regarding the adjournment request;

AND WHEREAS the Application was adjourned to February 13, 2013 on a peremptory basis, for the purpose of allowing the Applicant to retain legal counsel;

AND WHEREAS on February 12, 2013, the Applicant communicated to IIROC Staff and the Commission by hand-delivered letter that he would not be attending the hearing scheduled for February 13, 2013 due to unforeseen and unspecified circumstances relating to his criminal proceedings;

AND WHEREAS on February 13, 2013, IIROC and Commission Staff appeared and made submissions regarding the adjournment request;

AND WHEREAS the Commission considers that it is in the public interest to make this Order;

IT IS HEREBY ORDERED THAT the Application shall be dismissed.

DATED at Toronto this 13th day of February, 2013.

“James E. A. Turner”

James E. A. Turner