

Ontario Securities Commission Commission des valeurs mobilières de l'Ontario

P.O. Box 55, 19<sup>th</sup> Floor 20 Queen Street West Toronto ON M5H 3S8 CP 55, 19e étage 20, rue queen ouest 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 ENERGY SYNDICATIONS INC., GREEN SYNDICATIONS INC., SYNDICATIONS CANADA INC., DANIEL STRUMOS, MICHAEL BAUM and DOUGLAS WILLIAM CHADDOCK

## ORDER

(Rules 1.6(2), 4.3(1), 4.5(1), and 4.5(2) of the Ontario Securities Commission *Rules of Procedure* (2012), 35 O.S.C.B. 10071)

WHEREAS on April 8, 2013, the Ontario Securities Commission (the "Commission") convened to conduct a hearing on the merits with respect to the allegations contained in the Statement of Allegations filed by Staff of the Commission ("Staff") on March 30, 2012 in respect of Energy Syndications Inc., Green Syndications Inc., Syndications Canada Inc., Daniel Strumos ("Strumos"), Michael Baum ("Baum"), and Douglas William Chaddock ("Chaddock");

**AND WHEREAS** on April 8, 2013, having considered the submissions of Staff and Chaddock, Baum not appearing, the Commission ordered that:

- 1. The hearing on the merits is adjourned until 10:00 a.m. on May 14, 2013, and will continue on May 15, 16, 17, 22, 23 and 24, 2013.
- 2. On or before May 6, 2013, Chaddock shall provide a report to the Commission from his neurologist, detailing any cognitive deficiency of Chaddock that might affect his ability to understand and respond to evidence, what treatment plan has been undertaken and whether and when it is reasonably expected that there will be improvement in Chaddock's ability to understand and respond to evidence.
- 3. A copy of this order shall be forthwith provided to the neurologist.

4. This matter will come back on for hearing on May 8, 2013, at 9:00 a.m., to permit a further motion for adjournment to be made, if necessary.

**AND WHEREAS** on May 8, 2013, the Ontario Securities Commission (the "Commission") held a status update hearing in this matter;

AND WHEREAS Staff, Chaddock and Strumos appeared, Baum not appearing;

AND WHEREAS Chaddock withdrew his request to further adjourn the hearing on the merits;

**AND WHEREAS** Chaddock requested that the Commission allow him to deliver to Staff copies of the documents he intends to rely on at the hearing on the merits, his witness list and witness summaries by Friday, May 10, 2013;

**AND WHEREAS** Rule 4.3(1) of the Commission's *Rules of Procedure* (2012), 35 O.S.C.B. 10071 (the "Rules") requires each party to deliver to every other party copies of all documents the party intends to rely on at least 20 days before the commencement of the hearing on the merits, and Rules 4.5(1) and 4.5(2) require each party to deliver to every other party the party's witness list and a summary of the evidence each witness is expected to give at the hearing at least 10 days before the commencement of the hearing;

**AND WHEREAS** Rule 1.6(2) provides that a Panel may extend or abridge any time period in the Rules on any conditions that the Panel considers advisable;

AND WHEREAS Staff opposed Chaddock's request and Strumos made no submissions;

**AND WHEREAS**, at the request of the Commission and with the consent of Staff, Chaddock, and Strumos, the hearing on the merits will commence on Wednesday, May 15, 2013, at 9:00 a.m., and the scheduled hearing date of Tuesday, May 14, 2013 will be vacated;

**AND WHEREAS** Staff anticipates that Staff will require approximately 4 to 5 days to present its case, depending on the duration of cross-examination by the Respondents;

AND WHEREAS, having considered the submissions of Staff and Chaddock, it is the opinion of the Commission that it is in the public interest to accommodate Chaddock's request and avoid any adjournment of the hearing on the merits, and that any prejudice to Staff resulting from the late delivery of Chaddock's document can be addressed, if appropriate, during the hearing on the merits and based on the submissions of Staff and Chaddock at that time;

## **IT IS ORDERED** that:

- 1. The hearing day scheduled for May 14, 2013 is vacated, and the hearing on the merits will commence at 9:00 a.m. on May 15, 2013, and continue on May 16, 17, 22, 23 and 24, 2013.
- 2. The time prescribed under Rules 4.3(1), 4.5(1) and 4.5(2) is abridged, pursuant to Rule 1.6(2).
- 3. Chaddock shall deliver to Staff, by noon on Friday, May 10, 2013, copies of the documents on which he intends to rely at the hearing on the merits, as required pursuant to Rule 4.3(1), his witness list, as required pursuant to Rule 4.5(1), and witness summaries, as required pursuant to Rule 4.5(2).

**DATED** at Toronto this 8<sup>th</sup> day of May, 2013.

"Alan J. Lenczner"

Alan J. Lenczner, QC