



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**

ORDER

WHEREAS on the first day of the hearing on the merits in this matter (the “Merits Hearing”), a joint hearing brief filed by the parties (“Joint Hearing Brief”) was marked by the Panel as Exhibit 1 for identification on the understanding that the parties would work together to produce a condensed Joint Hearing Brief at the conclusion of the Merits Hearing, which was to contain only those documents in the Joint Hearing Brief that were referred to during the course of the Merits Hearing (the “Condensed Joint Hearing Brief”);

AND WHEREAS, following closing submissions in the Merits Hearing, the parties requested the assistance of the Panel in determining whether certain documents should be included in the Condensed Joint Hearing Brief;

AND WHEREAS a hearing was held on September 5, 2013 to consider the following two outstanding issues with respect to the record (the “Motion Hearing”):

1. Whether 31 documents in the Joint Hearing Brief and identified as Joint Hearing Brief tab (“JHB”) 457, JHB 1806-D, JHB 1957, JHB 2379, JHB 1263, JHB 1726, JHB 1729, JHB 67, JHB 180, JHB 190, JHB 216, JHB 2344, JHB 2360, JHB 2551-F, JHB 2551-G, JHB 2551-I, JHB 108, JHB 109, JHB 111, JHB 125, JHB 127, JHB 211, JHB 378, JHB 1697, JHB 1556, JHB 1545, JHB 1596, JHB 1808, JHB 1769, JHB 2428 and JHB 1868 (collectively, the “31 Documents”), form part of the record in this matter; and

2. Whether the Panel should accept a revised version of the Respondents' Joint Summary of Facts and Evidence filed on August 2, 2013, after the completion of closing submissions;

AND WHEREAS at the Motion Hearing, the Panel was also asked to consider whether two additional documents, which were identified as JHB 767 and JHB 2337, should be included in the Condensed Joint Hearing Brief (the "Two Additional Contested Documents");

AND UPON reviewing the materials filed by the parties and considering the submissions of the parties;

IT IS ORDERED that:

1. The 31 Documents, which were properly in evidence at the Merits Hearing, shall be included in the Condensed Joint Hearing Brief;
2. The respondents Jowdat Waheed and Bruce Walter are granted leave to file the revised Respondents' Joint Summary of Facts and Evidence;
3. The Two Additional Contested Documents, which were not properly in evidence at the Merits Hearing, shall not be included in the condensed Joint Hearing Brief;
4. The parties shall file a revised index to the Condensed Joint Hearing Brief, which reflects our rulings in paragraphs (1) and (3) above; and
5. Staff shall file revised versions of its Written Closing Submissions, which shall not make reference to documents that the Panel has ruled are not in evidence.

Dated at Toronto this 11th day of September, 2013.

"Christopher Portner"

Christopher Portner

"Paulette L. Kennedy"

Paulette L. Kennedy

"Sarah B. Kavanagh"

Sarah B. Kavanagh