



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

P.O. Box 55, 22nd Floor
20 Queen Street West
Toronto ON M5H 3S8

CP 55, 22^e 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
GARTH H. DRABINSKY
MYRON I. GOTTLIEB
GORDON ECKSTEIN**

**ORDER
(Sections 127 and 127.1)**

WHEREAS on February 20, 2013, the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing in relation to an Amended Statement of Allegations issued by Staff of the Commission (“Staff”) regarding Garth H. Drabinsky, Myron I. Gottlieb and Gordon Eckstein (collectively, the “Respondents”);

AND WHEREAS the Notice of Hearing stated that an initial hearing before the Commission would be held on March 19, 2013;

AND WHEREAS on March 19, 2013, the Commission convened a hearing and ordered that the matter be adjourned to a confidential pre-hearing conference on May 23, 2013;

AND WHEREAS on May 23, 2013, a confidential pre-hearing conference was held, at which counsel for Staff and counsel for each of the Respondents attended;

AND WHEREAS counsel for Drabinsky requested that a motion be scheduled respecting certain portions of Staff’s Statement of Allegations (the “Motion”) and a date for the motion was scheduled for July 10, 2013;

AND WHEREAS on July 2, 2013, counsel for Drabinsky communicated to the Commission that he would no longer be proceeding with the Motion;

AND WHEREAS on July 3, 2013, the Commission ordered that the July 10, 2013 Motion date be vacated;

AND WHEREAS on September 8, 2014, a confidential pre-hearing conference was held, at which counsel for Staff and counsel for each of the Respondents attended;

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

IT IS HEREBY ORDERED that:

1. A further confidential pre-hearing conference shall take place on December 2, 2014 at 3:00 p.m., or on such other date as may be ordered by the Commission.
2. A hearing under section 127(10) of the *Securities Act* shall commence on June 22, 2015 and continue on the following dates in June 2015: 23-26, 29-30, or on such other dates as may be ordered by the Commission.
3. The parties shall disclose any expert evidence according to the following schedule:
 - a. Respondents shall identify any expert witness that they intend to call by March 9, 2015;
 - b. Respondents shall serve any expert report(s) on Staff by April 8, 2015;
 - c. Staff shall serve any expert report(s) in response on the Respondents by May 8, 2015; and
 - d. Respondents shall serve any expert report(s) in reply on Staff by May 25, 2015.
4. The parties shall disclose witness lists and witness summaries by May 4, 2015.
5. The parties shall serve and file hearing briefs by June 1, 2015.

Dated at Toronto this 9th day of September, 2014.

“Mary G. Condon”

Mary G. Condon