



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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**IN THE MATTER OF
EDA MARIE AGUECI, DENNIS WING, SANTO IACONO,
JOSEPHINE RAPONI, KIMBERLEY STEPHANY, HENRY FIORILLO,
GIUSEPPE (JOSEPH) FIORINI, JOHN SERPA, IAN TELFER,
JACOB GORNITZKI and POLLEN SERVICES LIMITED**

AnneMarie Ryan, Chair of the Panel
Deborah Leckman, Commissioner
Mark Sandler, Commissioner

June 9, 2017

ORDER

Section 144 of the
Securities Act, RSO 1990, c.S.5

THIS APPLICATION, made by Henry Fiorillo ("**Fiorillo**") for a variation of the Order issued by the Ontario Securities Commission on June 24, 2015, under sections 127 and 127.1 of the *Securities Act*, RSO 1990, c S.5, as amended on November 30, 2015 (the "**Sanctions and Costs Order**") was heard on June 9, 2017 in writing, pursuant to an Order of the Commission issued on May 16, 2017;

ON READING the application record, including the Affidavit of Fiorillo sworn March 10, 2017 and the Consent executed on behalf of all parties except for Pollen Services Limited, including Staff of the Commission, the letters from Fiorillo's counsel dated May 3 and 23, 2017, there being no submissions filed by any other party, and upon the Panel determining to reserve any decision with respect to Fiorillo's request to amend subparagraph 3(d) of the operative terms of the Sanctions and Costs Order;

IT IS ORDERED THAT:

1. the operative terms of the Sanctions and Costs Order are varied to amend paragraph 3 such that:
 - a. subparagraph 3(c)(ii), as amended, reads:
 - (ii) to trade and/or acquire mutual funds, exchange-traded funds, government bonds and/or GICs for the account of any RRSP, RRIF, IPP and TFSA, as defined in the Income Tax Act, in which Fiorillo has sole legal and beneficial ownership, solely through a registered dealer in Ontario, to whom Fiorillo must have given a copy of this order;

b. a new subparagraph 3(d.1) is added that reads:

(d.1) as a further exception to the 15 year prohibitions in respect of trading and acquisition of securities ordered in subparagraphs 3(a) and 3(b) above, after the amounts ordered in subparagraphs 3(j), 3(k) and 3(l) have been paid in full, Fiorillo shall be permitted to invest in non-securities related businesses operated by either Fiorillo or Fiorillo's family members provided that advance notice of 30 days is given to the Commission;

2. supplementary written submissions be served and filed with respect to Fiorillo's request to amend subparagraph 3(d) of the operative terms of the Sanctions and Costs Order, in accordance with the following schedule:

- a. Fiorillo's supplementary written submissions and any necessary supplementary evidence, shall be served and filed by no later than June 22, 2017;
- b. Staff's supplementary written submissions shall be served and filed by no later than July 6, 2017; and
- c. the supplementary written submissions of any other party, should they chose to deliver any, shall be served and filed by no later than July 6, 2017.

"AnneMarie Ryan"

"Deborah Leckman"

AnneMarie Ryan

"Mark Sandler"

Deborah Leckman

Mark Sandler