

IN THE MATTER OF  
THE *SECURITIES ACT*, R.S.N.S. 1989, CHAPTER 418, AS AMENDED  
(the Act)

- and -

IN THE MATTER OF LYNDON HORACE HIBBERT  
(the Applicant)

**ORDER**  
(Section 151)

**WHEREAS:**

- A. On November 27, 2013 the Nova Scotia Securities Commission (the Commission) approved a settlement agreement between the Applicant and Staff of the Commission and ordered (the 2013 Order) that:
1. the Settlement Agreement dated November 6, 2013 be approved;
  2. pursuant to section 134(1)(a) of the Act, the Applicant comply with and cease contravening Nova Scotia securities laws;
  3. pursuant to section 134(1)(c) of the Act, that all of the exemptions contained in Nova Scotia securities laws do not apply to the Applicant for a period of fifteen (15) years;
  4. pursuant to section 134(1)(d)(ii) of the Act, that the Applicant be prohibited from becoming or acting as a director or officer of any issuer, registrant or investment fund manager permanently;
  5. pursuant to section 134(1)(g) of the Act, that the Applicant be prohibited from becoming or acting as a registrant, investment fund manager or promoter permanently;
  6. pursuant to section 134(1)(h) of the Act, that the Applicant be reprimanded;
  7. pursuant to section 135 (a) and (b) of the Act, the Applicant forthwith pay an administrative penalty in the amount of twenty thousand dollars (\$20,000.00); and
  8. Pursuant to section 135A of the Act, the Applicant forthwith pay costs in connection with the investigation and hearing of this matter before the Commission in the amount of one thousand dollars (\$1,000.00).

B. The Applicant has applied under section 151 of the Act to vary the 2013 Order to

- (i) revoke paragraph 4 of the 2013 Order providing that the Applicant be prohibited from becoming or acting as a director or officer of any issuer, registrant or investment fund manager permanently;
- (ii) revoke paragraph 5 of the 2013 Order providing that the Applicant be prohibited from becoming or acting as a registrant, investment fund manager or promoter permanently; and
- (iii) reduce the administrative penalty payable under paragraph 7 to the amount paid by the Applicant to the Commission as of the date of this Order.

C. Upon hearing the submissions of the parties, in the Hearing Panel's opinion it is not prejudicial to the public interest to vary the 2013 Order.

**IT IS HEREBY ORDERED** pursuant to section 151 of the Act, that:

- 1. paragraph 4 of the 2013 Order is revoked, and the Applicant is not prohibited from becoming or acting as a director or officer of any issuer, registrant or investment fund manager; and
- 2. paragraph 5 of the 2013 Order is revoked, and the Applicant is not prohibited from becoming or acting as a registrant, investment fund manager or promoter.

**DATED** at Halifax, Nova Scotia, this 29<sup>th</sup> day of September, 2021.

**NOVA SCOTIA SECURITIES COMMISSION**

(signed) "Valerie Seager"  
Valerie Seager  
Panel Chair

(signed) "Michael Deturbide"  
Michael Deturbide, Q.C.  
Commissioner

(signed) "Natalie MacDonald"  
Natalie MacDonald  
Commissioner