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

- and -

## IN THE MATTER OF ALLEN E. SHEITO AND GARY A. WOODS (collectively the "Respondents")

## **ORDER**

(Part 8.4 of Rule 15-501 General Rules of Practice and Procedure)

**WHEREAS** the Nova Scotia Securities Commission ("Commission") issued to the Respondents a Notice of Hearing of Motion on the 7<sup>th</sup> day of August, 2012;

**AND WHEREAS** the purpose of the hearing was for the Commission to consider and determine whether it is in the public interest to order, pursuant to part 8.4 of Rule 15-501 General Rules of Practice and Procedure ("Rules"), disclosure further to that which was provided by the Respondents pursuant to part 8.9 of the Rules;

**AND WHEREAS** the hearing of this Motion was held on the 29<sup>th</sup> day of August, 2012;

AND UPON proper service being effected upon the Respondents;

**AND UPON** reviewing and considering the written submissions of Stephanie Atkinson, counsel for the Director of Enforcement for the Commission, dated the 1<sup>st</sup> day of August, 2012, and the Statement of Allegations of the Director of Enforcement dated the 5<sup>th</sup> day of January, 2012;

**AND UPON** reviewing and considering the written submissions of Jane O'Neill, counsel for the Respondents, dated the 21<sup>st</sup> day of August, 2012, and the Affidavit of Jane O'Neill, counsel for the Respondents, dated the 21<sup>st</sup> day of August, 2012;

**AND UPON** hearing the submissions of Stephanie Atkinson, counsel for the Director of Enforcement for the Commission, and of Jane O'Neill, counsel for the Respondents;

**AND WHEREAS** the Commission has determined that it is in the public interest to make this Order;

**IT IS HEREBY ORDERED**, pursuant to part 8.4 of the Rules that:

- 1. The Respondents shall produce copies of all materials considered by their expert which had an effect on, explains or contradicts his opinion expressed in his May 24, 2012 report including, but not limited to, the following:
  - a. Letter of engagement of their expert;
  - b. Any preliminary or draft reports;
  - c. Any file materials pertaining to any reports;

- d. Any memoranda; and
- e. Any correspondences, discussions, communications relevant to the preliminary, draft, or final reports,

and if there is doubt as to whether any material had an effect on, explains or contradicts the Respondents' expert's opinion then the Respondents shall submit such material to the Commission for further ruling.

2. That the motion for an order that the Respondents produce a list of documents pursuant to Rule 8.12 be dismissed.

**DATED** at Halifax, Nova Scotia, this day of September, 2012.

NOVA SCOTIA SECURITIES COMMISSION

Hon David W. Gruchy, Q.C., Chair

Paul E. Radford, Q.C., Commissioner

C.B.V., F.C.M.A., Morash. C.A.. John A.

Commissioner