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

## -AND-

## IN THE MATTER OF CLARKE INC. and GEOSAM INVESTMENTS LIMITED (collectively the "RESPONDENTS")

## **NOTICE OF HEARING**

(Sections 135 and 135A of the Act)

**TAKE NOTICE** that the Nova Scotia Securities Commission ("Commission") will hold a hearing pursuant to Sections 135 and 135A of the Act at the Nova Scotia Utility and Review Board, Hearing Room B, 1601 Lower Water Street, Suite 300, Halifax, Nova Scotia, or such other place as the Commission may designate on notice to the parties, on Friday, the 9<sup>th</sup> day of October, 2009, at eleven o'clock in the forenoon (11:00 a.m.), or so soon thereafter as the hearing can be held;

**AND TAKE NOTICE** that the purpose of the hearing will be for the Commission to consider whether, pursuant to Sections 135 and 135A of the Act, it is in the public interest for the Commission to:

- Approve a Settlement Agreement dated September 23, 2009, entered into by the Respondents and staff of the Commission ("Settlement Agreement") and make a finding that the Respondents failed to comply with Nova Scotia securities laws pursuant to Section 135 (a)(i) of the Act; and
- 2. Make an order in accordance with the Settlement Agreement.

**AND TAKE NOTICE** that the only evidence to be called is the Settlement Agreement, of which the Respondents have a copy;

**AND TAKE NOTICE** that any party to the proceeding may be represented by legal counsel or an authorized agent;

**AND TAKE NOTICE** that upon failure of any party to attend at the hearing, the hearing may proceed in the absence of that party and an order granted and such party is not entitled to any further notice of the proceeding.

DATED at Halifax, Nova Scotia, this 25 day of September, 2009.

NOVA SCOTIA SECURITIES COMMISSION

<u>"Shirley Lee"</u> Shirley Lee, Secretary