

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

**- and -**

**IN THE MATTER OF  
OPTIONSXPRESS, INC. ( the “ Respondent )**

**NOTICE OF HEARING  
(Sections 134 and 135 of the Act)**

**TAKE NOTICE** that the Nova Scotia Securities Commission (the “Commission”) will hold a hearing pursuant to sections 134 and 135 of the Act at the premises of the Commission, 1690 Hollis Street, 2<sup>nd</sup>. Floor, Halifax, Nova Scotia or such other place as the Commission may designate on notice to the parties, on the 31<sup>st</sup> day of August, 2005 at 4:30 o’clock in the afternoon, 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 to approve the proposed settlement of the proceeding pursuant to an agreement between staff of the Commission, staff of certain other provincial securities regulators, and the Respondent which approval will be sought by staff of the Commission and the Respondent;

**AND TAKE NOTICE** that the hearing will be held jointly with the Alberta Securities Commission, the Manitoba Securities Commission, the Bureau de decision et de revision en valeurs mobilières, the Ontario Securities Commission and the New Brunswick Securities Commission under section 6.1 of the General Rules of Practice and Procedure;

**BY REASON OF** the allegations set out in the Statement of Allegations of staff of the Commission and such additional allegation as counsel may advise and the Commission may permit;

**AND TAKE FURTHER NOTICE** that any party to the proceeding may be represented by counsel if that party attends or submits evidence at the hearing;

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

**DATED** at Halifax, Nova Scotia this 18<sup>th</sup> day of August, 2005.

NOVA SCOTIA SECURITIES COMMISSION

“Shirley Lee”

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Shirley P. Lee, Secretary

**TO:** Cassels Brock & Blackwell LLP  
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