

In the Matter of the Securities Act, R.S.O. 1990, c. S.5, As Amended and In the Matter of Robert Thomislav Adzija, Larry Allen Ayres, David Arthur Bending, Marlene Berry, Douglas Cross, Allan Joseph Dorsey, Allan Eizenga, Guy Fangeat, Richard Jules Fangeat, Michael Hersey, George Edward Holmes, Todd Michael Johnston, Michael Thomas Peter Kennelly, John Douglas Kirby, Ernest Kiss, Arthur Krick, Frank Alan Latam, Brian Lawrence, Luke John McGee, Ron Masschaele, John Newman, Randall Novak, Normand Riopelle, Robert Louis Rizzuto and Michael Vaughan Citation: 25 O.S.C.B. 1625

Court: Ontario Securities Commission

Judge: Paul Moore, R. Stephen Paddon, K.D. Adams

Date: March 4, 2002

Year: 2002

WHEREAS on September 24, 1998, the Ontario Securities Commission (the "Commission") issued a Notice of Hearing pursuant to section 127 of the Securities Act, R.S.O. 1990, c. S.5, as amended (the "Act") respecting Ernest Kiss ("Kiss") and others;

AND WHEREAS on September 24, 1998, the Commission made a Temporary Order as against Kiss and others, such Temporary Order which was extended by Commission Orders dated October 9, 1998 and February 5, 1999 (the "Temporary Order");

AND WHEREAS Kiss entered into a Settlement Agreement in which he agreed to a proposed settlement of the proceedings, subject to the approval of the Commission;

AND UPON reviewing the Settlement Agreement and the Statement of Allegations of Staff of the Commission and upon hearing submissions from Kiss and from Staff of the Commission;

AND WHEREAS the Commission is of the opinion that it is in the public interest to make this Order pursuant to subsection 127(1) of the Act;

IT IS ORDERED THAT:

1. the attached Settlement Agreement executed February 28 and March 1, 2002 is approved;
2. pursuant to subsection 127(1), paragraph 2, trading in any securities by Kiss cease for 90 days commencing on the date of this Order;
3. pursuant to subsection 127(1), paragraph 6, Kiss is reprimanded; and
4. the Temporary Order as against Kiss no longer has any force or effect.