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1. APPLICATION

(1) Application: This Practice Guideline applies to proceedings before a Panel of the Commission.

2. FILING DOCUMENTS

(1) Redactions: Except when redactions are made for reasons of privilege, a Party who files a redacted document shall also file a confidential clean copy with the redacted copy of the document.

(2) Merits Hearing for an Enforcement Proceeding: The merits hearing in an enforcement proceeding, except an inter-jurisdictional enforcement proceeding, shall be an e-hearing. Each Party shall provide its hearing brief to the Registrar electronically and shall follow the *Protocol for E-Hearings* that is attached as Appendix A.

(3) All Other Hearings: In a hearing other than an e-hearing pursuant to subsection (2) above, each Party shall file the Party's documents both electronically and in paper in accordance with the *Rules of Procedure and Forms*. Five copies of a paper filing shall be filed with the Registrar. A Party who files a document or thing shall,

(a) if the document or thing is filed electronically and

(i) the file size is 50MB or less, send it by email to the address: registrar@osc.gov.on.ca; or

(ii) the file size exceeds 50MB, deliver it on physical media (e.g., DVD, CD, USB flash drive, external hard drive, or other method approved by the Registrar) to the address in (b) below; or

(b) if the document or thing is filed in paper, deliver it by mail, facsimile transmission (if under 25 pages), courier or personal delivery to:

Ontario Securities Commission
20 Queen Street West, 22nd Floor
Toronto, Ontario
M5H 3S8
Fax: 416-593-2318
Attention: Registrar, Office of the Secretary

(4) Format of Electronic Filings: A Party who files an electronic document (including text and image/picture documents) shall file it in multi-page Portable Document Format (PDF) that allows full text searching.

(5) Authorities: Each Party shall file copies of Commission decisions, court decisions and other legal authorities referred to in the Party's submission, except for authorities included in the Commission's [Book of Authorities \(http://www.osc.gov.on.ca/en/Proceedings_before-commission_book-authorities.htm\)](http://www.osc.gov.on.ca/en/Proceedings_before-commission_book-authorities.htm). When relying on an authority from the Commission's [Book of Authorities](http://www.osc.gov.on.ca/en/Proceedings_before-commission_book-authorities.htm) in a written submission, a Party shall identify the case name, citation and tab number from the alphabetical index to the Commission's [Book of Authorities](http://www.osc.gov.on.ca/en/Proceedings_before-commission_book-authorities.htm) and shall not append the authority to the Party's submission.

3. USE AND DISCLOSURE OF PERSONAL INFORMATION

(1) Obligation to Redact: Each Party shall use reasonable efforts to limit disclosure of personal information of an investor, witness or other third party to information that is necessary for the disposition of a matter and shall redact the Party's documents accordingly.

(2) Personal Information: In this Practice Guideline, “personal information” means recorded information about an identifiable individual investor, witness or third party, including but not limited to a person’s:

- (a) social insurance number, driver's license number, passport number, license plate number, and Ontario Health Insurance Plan number (or other similar health plan number);
- (b) date of birth;
- (c) municipal address, including street name, street number and postal code (but not city or province);
- (d) telephone number;
- (e) bank account number and trading account number (including a joint account); and
- (f) name of spouse and child.

“Personal information” does not include a name, title, contact information or designation of an individual in a business, professional or official capacity.

(3) Personal Information of Respondents: It is not expected that personal information of a respondent that is relevant to the disposition of a matter be redacted. A Party or participant may bring a motion before the Panel to request that any personal information about a respondent be redacted from any documents in the hearing record.

4. LANGUAGE OF PROCEEDINGS

(1) Choice of Language for Conduct of Proceedings: A Party may request that a Panel conduct a hearing wholly or partly in French by serving and filing a written notice with the Registrar as soon as possible and, in any event, at least 60 days before the hearing.

(2) Language of Application: If a Party to a proceeding brought by Staff requests that the proceeding be conducted wholly or partly in French, Staff shall serve and file, as soon as possible, a French translation of the Statement of Allegations or the Application, as the case may be.

(3) Notice of Hearing: Parties to a proceeding have the right to receive the Notice of Hearing in either English or French upon request.

(4) Communications with the Commission: The Commission will communicate and provide all of its correspondence, orders and decisions in the language of the proceeding as requested by the Parties, and the Parties may change their language of choice by notifying the Registrar in writing. Where at least one Party uses French and at least one Party uses English, Commission correspondence will be provided in both languages or will be translated.

(5) Evidence at the Hearing: Parties, witnesses and counsel participating in a hearing may submit evidence or written submissions either in English or in French. These documents will form part of the record in the language in which they are submitted.

(6) Translation of Evidence: The Commission has no obligation to translate documentary evidence. A Party may bring a motion requesting translation into English or French of documentary evidence that is necessary for a fair determination of a matter.

(7) Translation of Transcripts: The Commission has no obligation to translate hearing transcripts. However, the Commission may, at its discretion, provide English or French translation of hearing transcripts.

(8) Decisions and Reasons: Commission decisions and reasons will be issued in the language of the hearing. If a hearing is conducted in both English and French, Commission decisions and reasons will be issued in both languages.

5. ENFORCEMENT PROCEEDINGS

(1) Proceeding Management: A Panel will impose a timeline for attendances and other steps in enforcement proceedings as follows, subject to the discretion of the Panel:

Stage of the Proceeding:	Timeline:
<p>First Attendance A timeline will be set for:</p> <ul style="list-style-type: none"> • Disclosure of documents and things and service of witness lists and summaries and notices of intent to call expert witnesses; and • Any additional interlocutory matters, including subsequent attendances. 	On the date set in the Notice of Hearing, which date should occur within four weeks of the issuance of the Notice of Hearing
<p>Staff's Disclosure of Relevant Documents Staff shall disclose to each respondent non-privileged relevant documents and things in the possession or control of Staff.</p>	No later than 30 days after the First Attendance
<p>Disclosure Motion by a Respondent A respondent may serve and file a Motion regarding Staff's disclosure or seeking disclosure of additional documents.</p>	No later than 10 days before the Second Attendance
<p>Staff's Witness List, Summaries of Evidence, and Intention to Call Experts Staff shall:</p> <ul style="list-style-type: none"> • File and serve a witness list, and serve a summary of each witness's anticipated evidence on each respondent; and • Indicate any intention to call an expert witness. If Staff intends to call an expert witness, it shall provide the expert's name and state the issues on which the expert will give evidence. 	No later than five days before the Second Attendance
<p>Second Attendance A motion by a respondent regarding Staff's disclosure will be heard or scheduled for a subsequent date. Other interlocutory motions, if any, will be scheduled.</p>	No later than 120 days after the First Attendance
<p>Respondent's Witness List and Intention to Call Experts Each respondent shall:</p> <ul style="list-style-type: none"> • File and serve a witness list, and serve a summary of each witness's anticipated evidence on Staff; and • Indicate any intention to call an expert witness. If a respondent intends to call an expert witness, the respondent shall provide the expert's name and state the issues on which the expert will give evidence. 	No later than 30 days before the Third Attendance

Stage of the Proceeding:	Timeline:
<p>E-hearing Checklist Each Party shall provide to the Registrar a completed copy of the <i>E-hearing Checklist for the Hearing on the Merits</i> provided in Appendix B, which will not form part of the hearing record and will not be available to the public.</p>	No later than 10 days before the Third Attendance
<p>Third Attendance</p> <ul style="list-style-type: none"> • Dates will be set for: <ul style="list-style-type: none"> ○ the merits hearing; and ○ the provision of expert reports including expert reports in response and in reply. • Further interlocutory motions may be held or scheduled. 	No later than 60 days after the Second Attendance
<p>Exchange of Hearing Briefs Each Party shall serve every other Party with a hearing brief containing copies of the documents, and identifying the other things, that the Party intends to produce or enter as evidence at the merits hearing.</p>	No later than 10 days before the Final Interlocutory Attendance
<p>Hearing Brief Indices Each Party shall provide to the Registrar a copy of an index to the Party's hearing brief, which index will not form part of the hearing record and will not be available to the public.</p>	No later than five days before the Final Interlocutory Attendance
<p>Final Interlocutory Attendance</p> <ul style="list-style-type: none"> • Each Party shall advise the Panel of any issue with respect to authenticity or admissibility of a document in a hearing brief. • Outstanding interlocutory issues will be addressed. 	No later than 30 days before the Merits Hearing
<p>Electronic Documents and Index Files Each Party shall provide to the Registrar the electronic documents that the Party intends to rely on or enter into evidence at the merits hearing, along with an Index File, in accordance with the <i>Protocol for E-Hearings</i> that is attached as Appendix A. An electronic document provided to the Registrar will become part of the hearing record only if the document is tendered into evidence and marked as an exhibit by the Panel in the hearing.</p>	No later than five days before the Merits Hearing

6. HEARING AND REVIEW PROCEEDINGS

(1) First Attendance: At the first attendance in a hearing and review proceeding, the Panel will impose a timeline for subsequent attendances and, if applicable, for the following:

- (a) service and filing by the applicant of the record of the original proceeding;
- (b) notice of intention to rely on documents or things not included in the record of the original proceeding;

- (c) disclosure of documents or things not included in the record of the original proceeding;
- (d) disclosure of witness lists and summaries;
- (e) notices of intention to call an expert witness;
- (f) any other interlocutory matter, including motions;
- (g) subsequent attendances for proceeding management;
- (h) filing hearing briefs;
- (i) filing written submissions; and
- (j) hearing the application.

(2) Record of Original Proceeding: The record referred to in clause (1)(a) above includes:

- (a) the application or other document by which the original matter was commenced;
- (b) any Notice of Hearing;
- (c) interim orders;
- (d) documentary evidence filed in the original proceeding;
- (e) other relevant documents in the original proceeding on which the applicant will rely;
- (f) any transcript of oral evidence; and
- (g) the decision that is the subject of the request for a hearing and review, including any reasons for the decision.

7. ALL OTHER PROCEEDINGS

(1) First Attendance: At the first attendance in a proceeding other than an enforcement proceeding and a hearing and review proceeding, the Panel will impose a timeline, if applicable, for the following:

- (a) disclosure of documents and things;
- (b) disclosure of witness lists and summaries;
- (c) notices of intention to call an expert witness;
- (d) any other interlocutory matter, including motions;
- (e) subsequent attendances for proceeding management;
- (f) filing deadlines for written submissions; and
- (g) hearing the application.

8. MOTIONS

(1) Timing: The following timelines apply for filing motion materials:

- (a) at least 10 days before a motion date, the moving Party shall serve and file the Motion and motion record as prescribed in the *Rules of Procedure and Forms*;
- (b) at least six days before the motion date, the responding Party shall serve and file any responding affidavits;

(c) at least four days before the motion date, the moving Party shall serve and file:

- (i) any reply affidavits; and
- (ii) a memorandum of fact and law;

(d) at least two days before the motion date, the responding Party shall serve and file a memorandum of fact and law.

If a Party fails to comply with these time limits or other time limits ordered by a Panel, a Panel may dispose of the motion as it considers appropriate.

(2) Cross-Examination: A Party who files an affidavit shall make the affiant reasonably available for cross-examination by any adverse Party before the motion.

(3) Evidence: A Panel may by order, before or at a hearing, require or permit oral testimony and cross-examination of an affiant at the hearing of the Motion.

APPENDIX A *PROTOCOL FOR E-HEARINGS*

1. Electronic Documents and E-Hearings

It is expected that hearings on the merits of matters commenced by a Notice of Hearing issued in connection with a Statement of Allegations (Enforcement Proceedings) will proceed as e-hearings.

In an e-hearing, documents that the Parties intend to enter into evidence at the hearing are provided by the Parties to the Registrar, Office of the Secretary, in an electronic format (searchable PDFs) along with an Index File, and are displayed electronically during the course of the hearing.

A document provided by a Party to the Registrar will only become part of the hearing record if the document is subsequently tendered into evidence and marked as an exhibit by the Panel during the hearing.

This document sets out the electronic document requirements for e-hearings. Any questions may be sent to the Registrar at registrar@osc.gov.on.ca.

2. Providing Electronic Documents to the Registrar

In an e-hearing, each Party is required to provide to the Registrar via electronic medium all the documents that the Party intends to enter into evidence at the hearing along with an Index File. This may be done by the Party's representative or by the Party.

Transfer by electronic medium includes e-mail, DVD, CD, USB flash drive, external hard drive, or other means of electronic transfer as considered appropriate by the Secretary of the Commission, and does not include facsimile.

If a Party chooses to provide electronic documents by e-mail, the e-mail shall be sent to the Registrar, Office of the Secretary, at registrar@osc.gov.on.ca. The email and its attachments shall not exceed the size of 50MB. If the total size of the documents exceeds 50MB, then a DVD, CD, USB flash drive, external hard drive, or other means of electronic transfer as considered appropriate by the Secretary, should be used.

If a Party chooses to provide electronic documents by physical media such as a DVD, CD, USB flash drive or external hard drive, such device shall be sent to the Registrar, Office of the Secretary by registered mail, courier or by hand delivery to the following address:

Attention: Registrar, Office of the Secretary
Ontario Securities Commission
20 Queen Street West, 22nd Floor
Toronto, ON, M5H 3S8

When delivering documents to the Registrar, always specify the following: matter name, name of Party providing electronic documents, counsel and law firm for the Party (if applicable), and contact info and name for the person responsible for preparing the documents. When sending multiple physical media or emails, always label each chronologically.

The documents and Index File must be provided to the Registrar no less than five business days before the commencement of the hearing.

3. Format for Electronic Documents

All documents (including text and image/picture documents) are to be provided as multi-page Portable Document Formatted (PDF) or PDF/A documents with embedded underlying Optical Character Recognition (OCR) text. For scanned documents, the PDF document must be processed using OCR software and the PDF must be searchable using full text searching. All submitted PDF documents must be PDF version 1.7 or later, with a scanned image resolution of 300 dpi. Documents must be accessible, readable and printable.

All documents must be produced free of computer viruses, malware, Trojan horses or other items of a destructive nature. If any such item is detected, the document will be rejected and deemed not to have been received. The Registrar will contact the Party, person or representative that submitted the document and request that the document be disinfected or recreated and resubmitted.

4. Alternative Document Formats

Any issues regarding the preparation of documents in the format described in this Protocol should be raised at an attendance before a Panel. For instance, a document may exist in a format which cannot be converted to a PDF. The Panel will determine what document formats are acceptable for the hearing.

If alternative document formats are permitted, the Registrar must be informed at least 10 business days before the commencement of the hearing to ensure that arrangements can be made to open and view the document in the hearing room.

5. Naming Convention for Electronic Documents

Each document will have a unique alphanumeric DocumentID, such as ABC000001, ABC000002, etc. No two documents can have the same name. In instances where disclosure has been made electronically between the Parties, the Parties may use the DocumentIDs used in that disclosure. During the e-hearing, a document will be referred to by its DocumentID or by its exhibit number if the document is marked as an exhibit by the Panel.

6. The Index File

The Index File provides details about the documents provided by a Party. The Index File is a document which is a comma delimited text file in ".csv" format (which can be created in Excel or other programs) that lists and describes all the documents that the Party intends to enter into evidence at the hearing (see Schedule 1 for an example of the Index File).

The Party providing the Index File will need to enter the relevant information into all of the mandatory fields in the Index File. In addition to the mandatory fields, optional fields should be completed wherever possible as a matter of best practice.

The Index File contains the following fields:

Column A – DocumentID – Mandatory field: The unique identifier used to name the PDF document.

Column B – Unitized Parent DocID – Mandatory field: If a document and its attachments are being provided, the DocumentID of the lead document (the parent

document) must be entered for the parent document and each of the attachments (the child documents). See "Document Unitization" below.

Column C – Confidential Parent DocID - Mandatory field: If there is both a confidential version and redacted version of the same document, unitization is used to show that the documents are related. The DocumentID of the confidential document (the parent document) must be entered for the parent document and redacted document (the child document). See "Confidential and Redacted Documents" below.

Column D - Date - Optional field: The date of the document in mm/dd/yyyy format (if available). Note that partial dates are not accepted.

Column E - Description - Mandatory field: The Re: Line, title or short description of the document.

Column F - Type - Optional field: The type of document (e.g. contract, email, letter, etc.).

Column G - Author - Optional field: The name of the author(s). If the author is an individual, the name shall be inputted as "last name, first name". If there are multiple authors, each author shall be separated by a semi colon.

Column H - Recipient – Optional field: The name of the recipient(s). If the recipient is an individual, the name shall be inputted as "last name, first name". If there are multiple recipients, each recipient shall be separated by a semi colon.

Column I - Path – Mandatory field: The path is the DocumentID and followed by the document extension (e.g. ABC00001.pdf, ABC00020.xls).

Column J - Confidential - Mandatory field: Enter a "C" in this field if confidential treatment of the document is sought. See "Confidential and Redacted Documents" below.

Column K - Redacted - Mandatory field: Enter an "R" in this field if information has been redacted from the document. See "Confidential and Redacted Documents" below.

Column L – Format – Mandatory field: Enter the extension associated with the document (e.g. pdf, xlsx, mp3, wav).

Column M – Native Filename – Optional field: Enter the original filename of the document.

Column N – Themes – Optional field: This field can be used to identify a theme related to a document. For example, the theme may indicate a witness, subject or issue related to the document.

7. Confidential and Redacted Documents

Some documents will have two versions – a confidential version and a redacted version. If a document contains information that the Party providing it believes to be confidential, the Party must identify the document at the time the document is provided. A "C" suffix must be added to the DocumentID (name of document) in column "A" of the Index File (for example, ABC000104C). A "C" must also be entered in column "J" of the Index File. The redacted version of the document will have the same DocumentID with an R suffix assigned to it (e.g. ABC000104R). The Party must also specify that the document is redacted by entering an "R" in column "K" of the Index File.

Redactions must be in accordance with the Commission's Practice Guideline (see sections 2(1) and 3).

If there is a confidential version and redacted version of the same document, both will be provided with the same exhibit number and are distinguished by the different suffixes in their respective DocumentIDs. Unitization is used to show that the confidential and redacted versions relate to the same document. The DocumentID of the confidential version is the Confidential Parent DocID and is entered in the Confidential Parent DocID Field (Column "C" of the Index File) for the confidential document and redacted document.

Confidentiality and redactions will be considered by the Panel when a Party seeks to enter the document into evidence. The Panel may agree or disagree with the Party's position on confidentiality or redactions.

How to Redact a PDF

When redacting a PDF document, please ensure that the redaction includes **removing the embedded underlying OCR text**. Simply blacking out the text is not sufficient.

Various software products may be used to redact text from documents. Please consult your software's manual for the specifics regarding how to redact and remove embedded underlying OCR text. As a general guideline:

- Use the software redaction tool to block out the confidential text,
- Finalize/burn-in all redactions,
- Ensure the underlying OCR text is removed,
- Re-OCR the document, and
- Review the document to ensure that the redacted text does not show up in the OCR.

8. Document Unitization

In some cases, individual documents are part of a family of related documents. For example, an email with its attached documents is referred to as a family. The email is referred to as the "parent" and the attachments are referred to as the "children". Document unitization is necessary to preserve the relationship between the individual documents in the family and allows the family of documents to be marked together as one exhibit.

A Party providing a family of documents must identify each document in the family by entering the DocumentID for the parent document in the Unitized Parent DocID Field (Column "B" of the Index File) of the parent document and each of the children that are part of the family of documents (see Schedule 1 for an example).

In some instances, one or more documents included within a family of documents may be confidential and/or redacted. In this scenario, the Unitized Parent DocID (Column B of the Index File) and the Confidential Parent DocID (Column C of the Index File) must be filled out (see Schedule 1 for an example).

Schedule 1 - Sample Index File

Please note document must be saved in “.csv” format

Document ID	Unitized Parent Doc ID	Confidential Parent Doc ID	Date	Description	Type	Author	Recipient	Path	Confidential	Redacted	Format	Native Filename	Themes
ABC000001	ABC000001		13/06/2013	Affidavit of Joe Smith	Affidavit	Smith, Joe		ABC000001.pdf			pdf		Transaction 1
ABC000011	ABC000001		01/06/2013	Tab 1 - Resume of Joe Smith	Resume	Smith, Joe		ABC000011.pdf			pdf		Transaction 1
ABC000021	ABC000001		01/05/2013	Tab 2 - Share Price Analysis vs TSE Index	Report	Smith, Joe	Jones, Bob; Rose, Sherry	ABC000021.pdf			pdf		Transaction 1
ABC000051	ABC000001		23/04/2013	Tab 3 - Stock performance in North America 2010	Article			ABC000051.pdf			pdf		Transaction 1
ABC000066	ABC000001		01/01/2012	Tab 4 - Email titled "Please review analysis"	Email	Jones, Bob	Smith, Joe; Rose, Sherry	ABC000066.pdf			pdf		Transaction 1
ABC000081	ABC000001		12/01/2013	Tab 5 - Share Certificates for ABC issued to Fred Flint	Certificates			ABC000081.pdf			pdf		Transaction 1
ABC000101			01/06/2013	RE: Offer Price	Memo	Smith, Joe	Smith, Joe	ABC000101.pdf			pdf	Offerprice.pdf	Transaction 1
ABC000102C			01/06/2013	RE: Share Cap	Presentation	Jones, Bob		ABC000102C.pdf	C		pdf		
ABC000104C		ABC000104C	05/05/2013	List of Shares sold during period Jan to Feb 2013	Report			ABC000104C.pdf	C		pdf		Transaction 2
ABC000104R		ABC000104C	05/05/2013	List of Shares sold during period Feb to March 2013	Report			ABC000104R.pdf		R	pdf		Transaction 2
ABC000105	ABC000105			Email from Joe Smith dated February 2, 2013	Email			ABC000105.pdf			pdf		
ABC000106	ABC000105		26/04/2013	Email attachment offer price docs	Report			ABC000106.pdf			pdf		
ABC000110C	ABC000105	ABC000110C	01/01/2013	Email attachment Trend Analysis for period 2012-2013	Spreadsheet			ABC100110C.pdf	C		pdf		
ABC000110R	ABC000105	ABC000110C	01/01/2013	Email attachment Trend Analysis for period 2012-2013	Spreadsheet			ABC100110R.pdf		R	pdf		
ABCvideo1			05/04/2013	Video titled "Investment information for investors"	Video			ABCvideo1.mpg			mpg		
ABCAudio1			05/03/2013	Audio recording "Phone call to investor Bob Smith"	Audio			ABCAudio1.wav			wav		

APPENDIX B
E-HEARING CHECKLIST FOR HEARING ON THE MERITS

MATTER INFORMATION	
Matter Name	
Scheduled Dates for the Hearing on the Merits	
Name: (Staff/Counsel/Respondent)	Address: Phone: Email:
<p>A. PERMANENT I.T. EQUIPMENT SET-UP IN EACH HEARING ROOM</p> <p>Each hearing room is equipped with the following:</p> <ul style="list-style-type: none"> • For Staff: <ul style="list-style-type: none"> ○ One laptop with internet access at the podium and is connected to the A/V system. ○ One laptop with internet access at the litigators' table and is connected to the A/V system. • For Respondents: One laptop with internet access at the podium and is connected to the A/V system. All respondents will share the laptop at the podium to access the OSC Portal during the hearing. • Each Litigators' table and witness stand has a monitor connected to the A/V system to display content. 	
<p>B. TELEPHONE AND VIDEO-CONFERENCE SET-UP IN EACH HEARING ROOM</p> <p>Each hearing room is equipped to make outgoing calls only on the Telephone Conference System and the Video Conference System.</p>	
<p>C. ACCESS TO THE OSC PORTAL</p> <p>Software is installed on OSC laptops in the hearing rooms to enable the Parties to access the OSC Portal. The OSC Portal is a database on a closed network environment, which holds the hearing documents and Parties will retrieve documents from this database, open them and then display them on the A/V system in the hearing room.</p> <p><u>The OSC Portal can only be accessed on OSC laptops and is only for in hearing use.</u></p> <p>In the event a Party requires additional laptops beyond what is provided in the permanent I.T. equipment set-up (please see section A above), a request for an OSC laptop can be made. Please note in section H.</p>	
<p>D. PERSONAL LAPTOPS</p> <ul style="list-style-type: none"> i. A Respondent may use their own personal laptop with a cellular/mobile internet connection (e.g. rocket stick or mobile phone hotspot). Note that a personal laptop cannot be used to access the OSC Portal. ii. In the event a Respondent does not have their own cellular/mobile internet connection, a request for internet access can be made. Please note in section G. 	

E. ELECTRONIC HEARING BRIEF

I. All documents must be formatted pursuant to the Protocol for E-hearings (Protocol) in Appendix A of the Practice Guideline. The Index File and Hearing Brief documents must be provided to the Registrar 5 business days before the commencement of the Hearing on the Merits.

The **Index File** is a document which is a comma delimited text file in “.csv” format (which can be created in Excel or other programs) that lists and describes all the documents that will form part of the hearing brief. An example of the Index File is provided in Schedule I of the Protocol. Documents in the hearing brief shall be provided as separate searchable multi-page PDF (or PDF/A) documents (i.e. with embedded underlying optical character recognition (OCR) text data).

II. In the event that a Party cannot comply with the Protocol, the Party shall raise this with a Commissioner at an attendance and the Commissioner will determine if a suitable alternative should be followed.

In instances where a Party cannot provide the Index File as required by the Protocol, they must still provide an Index list of all their documents, specifying the name of the document, description of the document and its format to accompany their hearing brief documents.

F. E-HEARING DOCUMENT LOGISTICS

As set out above, the Protocol sets out the requirements for the format of documents in the hearing brief - separate searchable multi-page PDF (or PDF/A) documents.

In some instances, a document may exist in a different format which cannot be converted to a PDF. In such circumstances, the Registrar must be informed at least 10 business days before the commencement of the hearing to ensure that arrangements can be made to open and view the document in the hearing room.

The following is the information to provide to the Registrar if an alternative document format is being used:

If Documents Cannot be Provided in PDF Format fill out the following information on the right hand side.

Alternative document formats (including paper) will be discussed with a Commissioner at an attendance and the Commissioner will determine if a suitable alternative should be followed.

(1) In Paper.

(a) **Provide an Index List** indicating, Name of the Document; Description of the Document; Date of the Document.

(b) Total Number of Documents: _____

(c) Total Number of Pages: _____

(2) If Electronic.

(a) **Provide an Index List** indicating, Name of the Document; Description of the Document, Document Format; and file size.

(b) Specify Format (Example: Excel, jpeg, mp3)

G. I.T. EQUIPMENT SET-UP AND OSC PORTAL TRAINING SESSION

The Registrar will confirm I.T. equipment set-up and OSC Portal Training Sessions based on the Parties' availability and hearing room availability. Please provide a list of dates and times of your availability.

Date: _____ Time: _____

Date: _____ Time: _____

H. INDIVIDUALS PARTICIPATING IN THE HEARING ON THE MERITS

For example: Jane Smith, Law Clerk

Name:	OSC Laptop: Yes <input type="checkbox"/> No <input type="checkbox"/>	Your own laptop: Yes <input type="checkbox"/> No <input type="checkbox"/>
Role:	Internet access: Yes <input type="checkbox"/> No <input type="checkbox"/>	Internet access: Yes <input type="checkbox"/> No <input type="checkbox"/>
Name:	OSC Laptop: Yes <input type="checkbox"/> No <input type="checkbox"/>	Your own laptop: Yes <input type="checkbox"/> No <input type="checkbox"/>
Role:	Internet access: Yes <input type="checkbox"/> No <input type="checkbox"/>	Internet access: Yes <input type="checkbox"/> No <input type="checkbox"/>
Name:	OSC Laptop: Yes <input type="checkbox"/> No <input type="checkbox"/>	Your own laptop: Yes <input type="checkbox"/> No <input type="checkbox"/>
Role:	Internet access: Yes <input type="checkbox"/> No <input type="checkbox"/>	Internet access: Yes <input type="checkbox"/> No <input type="checkbox"/>

I. E-HEARING WITNESS LOGISTICS

Total Number of Witnesses	
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1. IN PERSON

Witness Name:	Date:	Time:	Navigational Control: Yes <input type="checkbox"/> No <input type="checkbox"/>
Witness Name:	Date:	Time:	Navigational Control: Yes <input type="checkbox"/> No <input type="checkbox"/>
Witness Name:	Date:	Time:	Navigational Control: Yes <input type="checkbox"/> No <input type="checkbox"/>
Witness Name:	Date:	Time:	Navigational Control: Yes <input type="checkbox"/> No <input type="checkbox"/>
Witness Name:	Date:	Time:	Navigational Control: Yes <input type="checkbox"/> No <input type="checkbox"/>
Witness Name:	Date:	Time:	Navigational Control: Yes <input type="checkbox"/> No <input type="checkbox"/>

2. BY VIDEO-CONFERENCE

The OSC video system is set up to make outgoing calls only. You must provide the Registrar with the contact name at the video conference facility, the contact phone number and I.P. address. OSC I.T. staff will test in advance of the hearing day and assist with establishing the connection on the day of the testimony.

Please indicate if you need to display documents to the remote witness. The method of sharing document display with a remote witness will depend on the technology capabilities of the remote site.

In the alternative, the remote witness can be provided with a hard copy of the documents ahead of time.

Witness Name:	Date: Time:	Location: Document Sharing: Yes <input type="checkbox"/> No <input type="checkbox"/>	Facility contact name: Facility phone no.: Facility I.P address:
Witness Name:	Date: Time:	Location: Document Sharing: Yes <input type="checkbox"/> No <input type="checkbox"/>	Facility contact name: Facility phone no.: Facility I.P address:
Witness Name:	Date: Time:	Location: Document Sharing: Yes <input type="checkbox"/> No <input type="checkbox"/>	Facility contact name: Facility phone no.: Facility I.P address:
Witness Name:	Date: Time:	Location: Document Sharing: Yes <input type="checkbox"/> No <input type="checkbox"/>	Facility contact name: Facility phone no.: Facility I.P address: