

Ontario ( Securities v Commission (

Commission des valeurs mobilières de l'Ontario

P.O. Box 55, 19<sup>th</sup> Floor 20 Queen Street West Toronto ON M5H 3S8 CP 55, 19e étage 20, rue queen ouest Toronto ON M5H 3S8

## IN THE MATTER OF THE SECURITIES ACT, R.S.O. 1990, c. S.5, AS AMENDED

## - AND -

## IN THE MATTER OF SHAUN GERARD MCERLEAN, SECURUS CAPITAL INC., and ACQUIESCE INVESTMENTS

## TEMPORARY ORDER (Subsections 127(1) & 127(7))

WHEREAS on the 12<sup>th</sup> day of August, 2010, pursuant to subsections 127(1) and 127(5) of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the "Act"), the Ontario Securities Commission (the "Commission") made an order against Shaun Gerard McErlean ("McErlean"), Acquiesce Investments ("Acquiesce") and Securus Capital Inc. ("Securus") (collectively the "Respondents");

**AND WHEREAS** on the 12<sup>th</sup> day of August, 2010, pursuant to subsection 127(6) of the Act, the Commission ordered that the following Temporary Order shall expire on the 15<sup>th</sup> day after its making unless extended by order of the Commission;

**AND WHEREAS** by Commission Order dated August 12, 2010, the Commission made the following temporary order (the "Temporary Order");

- 1. pursuant to clause 2 of subsection 127(1) of the Act, that trading of securities by the Respondents shall cease; and
- 2. pursuant to clause 3 of subsection 127(1) of the Act, that the exemptions contained in Ontario securities law do not apply to the Respondents.

AND WHEREAS the Commission held a hearing on August 25, 2010;

**AND WHEREAS** on the 25<sup>th</sup> day of August, 2010, the Commission ordered that the Temporary Order be extended to September 29, 2010 and the hearing in this matter be adjourned to September 28, 2010 at 2:30 p.m.;

**AND WHEREAS** on the 27<sup>th</sup> day of September, 2010, on the consent of the parties, the Commission ordered that the Temporary Order be extended to October 28, 2010 and the hearing in this matter be adjourned to October 27, 2010 at 1:00 p.m.;

AND WHEREAS the Commission held a hearing on October 27, 2010;

**AND WHEREAS** at the hearing on October 27, 2010, the Respondents requested that the Commission adjourn this matter for approximately one month and Staff were not opposed to the request and the Respondents consented to the extension of the Temporary Order for approximately one month;

AND WHEREAS the Commission is of the opinion that it is in the public interest to make the following order;

**IT IS ORDERED** that the Temporary Order be extended to December 6, 2010 and the hearing in this matter be adjourned to December 3, 2010 at 9:00 a.m.

**DATED** at Toronto this 27<sup>th</sup> day of October, 2010.

"Mary G. Condon"

Mary G. Condon