

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

**- AND -**

**IN THE MATTER OF  
JAMES PATRICK BOYLE, LAWRENCE MELNICK  
AND JOHN MICHAEL MALONE**

**O R D E R**

**WHEREAS** on August 5, 2005, the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing and Statement of Allegations pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the “Act”);

**AND WHEREAS** the hearing of this matter was scheduled to be heard on September 15, 2005;

**AND WHEREAS** by order of the Commission on September 15, 2005, this matter was adjourned to October 27, 2005;

**AND WHEREAS** counsel for Staff and the respondents appeared on October 27, 2005 whereupon a motion was set down for January 25, 2006;

**AND WHEREAS** on December 21, 2005, the Commission ordered, *inter alia*, that the motion to be brought by the respondent James Patrick Boyle (“Boyle”), and by one or both of the

other respondents should they so advise, in respect of section 129.1 of the Act would be heard on Friday, February 3, 2006, and that the parties to the motion would agree to a schedule for the exchange of materials, failing which a schedule for the exchange of materials would be set by the Office of the Secretary;

**AND WHEREAS** on February 2, 2006, the Secretary heard submissions by counsel for Staff of the Commission and counsel for the moving parties Boyle and Lawrence Melnick at which counsel agreed to a schedule for the exchange of materials, subject to confirmation with the Secretary on Tuesday, February 7, 2006;

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

**IT IS HEREBY ORDERED THAT:**

The motion in respect of section 129.1 of the Act will be adjourned to Thursday, February 23 and Friday, February 24, 2006.

**DATED** at Toronto this 3<sup>rd</sup> day of February, 2006.

“Paul M. Moore”

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Paul M. Moore