



Ontario  
Securities  
Commission

Commission des  
valeurs mobilières  
de l'Ontario

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

**- AND -**

**IN THE MATTER OF A HEARING AND REVIEW OF THE DECISION  
OF THE INVESTMENT INDUSTRY REGULATORY ORGANIZATION OF CANADA  
REGARDING PORTFOLIO STRATEGIES SECURITIES INC.**

**- AND -**

**IN THE MATTER OF CLIFFORD TODD MONAGHAN**

**ORDER**

**WHEREAS:**

1. on August 10, 2015, the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing, pursuant to sections 8 and 21.7 of the *Securities Act*, R.S.O. 1990, c.S.5, as amended (the “Act”), in relation to an application made by Clifford Todd Monaghan (the “Applicant”) for a Hearing and Review of a Decision of the Investment Industry Regulatory Organization Of Canada (“IIROC”), which approved an *Application for Investors Holding 10% or More of an IIROC Member Firm* that was filed by Portfolio Strategies Securities Inc. (“PSSI”);
2. on August 18, 2015, the Applicant, IIROC Staff, Staff of the Commission and counsel for PSSI appeared at a confidential pre-hearing conference and made submissions;
3. on August 18, 2015, the Commission ordered that:
  - a. the Applicant shall serve and file an amended application, if any, by August 28, 2015;
  - b. IIROC Staff, Staff of the Commission and PSSI (the “Moving Parties”) shall serve and file motions, if any, including motion records and memoranda of fact and law, by September 4, 2015;

- c. the Applicant shall serve and file a responding motion record and memoranda of fact and law, if any, by September 11, 2015;
  - d. PSSI's cross-examination on Monaghan's affidavits, if any, shall take place on September 14, 2015; and
  - e. a motion hearing, if any, shall take place on September 16, 2015 at 11:00 a.m.
4. on September 9, 2015, the parties requested that a pre-hearing conference be held on September 16, 2015 at 10:30 a.m., via conference call, to provide the Commission with a status update;
5. on September 10, 2015, the Commission ordered that a confidential pre-hearing conference be held on September 16, 2015 at 10:30 a.m. via conference call;
6. on September 16, 2015, the Commission ordered that the motion hearing shall take place on January 25, 2016, and the motion hearing date of September 16, 2015 and application hearing date of October 16, 2015 be vacated;
7. on January 7, 2016, a confidential pre-hearing conference was held at the Moving Parties' request; at which the Commission ordered that, *inter alia*:
  - a. the Applicant shall serve and file a responding motion record by March 8, 2016;
  - b. cross-examinations on affidavits, if any, will be completed by March 18, 2016;
  - c. the Moving Parties shall file a memorandum of fact and law by March 21, 2016;
  - d. the Applicant shall file a memorandum of fact and law by April 1, 2016;
  - e. the Moving Parties shall file a reply memorandum of fact and law, if any, by April 8, 2016; and
  - f. the motion hearing shall take place on April 15, 2016;
8. on March 3, 2016, the parties advised the Commission of their consent to an amended timetable for the remaining steps in this matter;
9. on March 4, 2016, the Commission ordered that:
  - a. the motion hearing date scheduled for April 15, 2016 is vacated and adjourned *sine die*; and

b. a confidential pre-hearing conference shall be held on June 27, 2016 at 9:30 a.m.

10. on June 27, 2016, the Applicant, IIROC Staff, Staff of the Commission and counsel for PSSI appeared at a confidential pre-hearing conference and made submissions;

11. the Commission is of the opinion that it is in the public interest to make this order;

**IT IS ORDERED** that:

1. IIROC Staff shall serve and file any supplementary affidavits by September 16, 2016;
2. cross-examinations on affidavits, if any, will be completed by October 21, 2016;
3. the Moving Parties shall file a memorandum of fact and law by November 18, 2016;
4. the Applicant shall file a memorandum of fact and law by November 29, 2016; and
5. the motion hearing shall take place on December 5, 2016 at 10:00 a.m.

**DATED** at Toronto, this 27<sup>th</sup> day of June, 2016.

*“Alan Lenczner”*

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Alan Lenczner, Q.C.