

Re Bodnarchuk

IN THE MATTER OF:

**The Rules of the Investment Industry Regulatory Organization of
Canada**

and

Edward Peter Bodnarchuk

2018 IIROC 17

Investment Industry Regulatory Organization of Canada
Hearing Panel (Manitoba District)

Heard: May 2, 2018
Decision: May 3, 2018

Hearing Panel:

Michael Radcliffe and Debbie Archer

Appearance:

Tayen Godfrey, Enforcement Counsel for IIROC

Thor Hansell, Counsel for the Respondents

DECISION ON MOTION

¶ 1 Whereas the Investment Industry Regulatory Organization of Canada (IIROC) served an Amended Amended Notice of Hearing (“The Notice”) on the respondent Edward Peter Bodnarchuk (hereinafter referred to as The Respondent) on April 25, 2018 to amend the Notice pertaining to a Disciplinary Hearing scheduled to be heard in Winnipeg May 7, 2018,

¶ 2 And Whereas the amendments requested are contained in paragraph 42-47 of IIROC’s Amended Amended Notice of Hearing filed in this matter and dated April 23, 2018,

¶ 3 And Whereas the hearing panel herein, consisting of Michael Radcliffe and Debbie Archer, (Guenther Kleberg being absent), makes the following order pursuant to Rules two and eight of the IIROC Rules of Practice and Procedure to abridge timelines for:

- a) Filing and serving a Notice of Hearing
- b) Providing the Respondent Disclosure
- c) Providing the Respondent a Reliance list of documents.

¶ 4 And Whereas IIROC was represented by Tayen Godfrey and the Respondent by Thor Hansell,

¶ 5 And Whereas counsel for the parties confirmed:

- 1) The panel has authority to hear the motion
- 2) The hearing was proceeding under IIROC “old rules”
- 3) IIROC became aware of a further possible infraction by the Respondent on or about November 23, 2017

- 4) The matters involving the Respondent took place over a period of time as far back as 2008 through to 2016
- 5) If the pleadings were amended as requested, it is the opinion of this panel that the Respondent may not have the required time to prepare and respond to the said counts considered, due to the fact that Union Securities has ceased doing business, and therefore obtaining certain financial records may prove to be exceptionally difficult for the Respondent.
- 6) Any amendment to the timeline for filing and serving documents, and meeting & responding to any counts by the moving party, should not result in prejudice to the Respondent.
- 7) IIROC has a duty to bring any amendment to its pleadings as expeditiously as possible, on becoming aware of any new information in order to give the Respondent as much time as possible to respond, pursuant to the Rules of Practice and Procedure.

¶ 6 This panel therefore orders that the motion by IIROC to abridge the timelines as hereinbefore set out is declined and the hearing of this matter will proceed as scheduled May 07,2018

¶ 7 Costs on the motion will go in the cause.

DATED: May 3, 2018

Michael F.C. Radcliffe

Debbie Archer

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