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Canadian Investment
Regulatory
Organization

Organisme canadien
de réglementation
des investissements

Order

File No. 202249

**IN THE MATTER OF
THE MUTUAL FUND DEALER RULES
and
Alvinder Singh Gill**

ORDER

WHEREAS on November 11, 2022, the Mutual Fund Dealers Association of Canada (the “MFDA”) issued a Notice of Hearing pursuant to sections 20 and 24 of MFDA By-Law No. 1 (now Mutual Fund Dealer Rules 7.3 and 7.4) in respect of a disciplinary proceeding commenced against Alvinder Singh Gill (the “Respondent”);

AND WHEREAS on January 1, 2023, the MFDA and the Investment Industry Regulatory Organization of Canada (“IIROC”) consolidated to form a new self-regulatory organization called the New Self-Regulatory Organization of Canada (“New SRO”) now called the Canadian Investment Regulatory Organization (“CIRO”);

AND WHEREAS on January 17, 2023, at the first appearance in this proceeding, the hearing of this matter on its merits was scheduled to take place electronically by videoconference from July 11-13, 2023 commencing each day at 10.a.m. (Pacific);

AND WHEREAS on July 7, 11 and 12, 2023, the Respondent brought three motions seeking, among other things, an adjournment of the hearing on the merits on the basis of the Respondent’s claim that he was suffering from a medical condition that would prevent him from participating by videoconference in the hearing on the merits;

AND WHEREAS the July 7 and 12, 2023 motions were dismissed by the Hearing Panel on the basis that the Respondent had failed to produce sufficient evidence to support the relief that he requested and the Hearing Panel declined to hear the July 11, 2023 motion on the basis that the relief sought had already been dismissed by the Hearing Panel on July 7, 2023 and no new evidence had been presented to support the renewed request;

AND WHEREAS the hearing of this matter on its merits commenced on July 11-12, 2023 as previously scheduled and the Respondent participated in the hearing by teleconference throughout both of those days;

AND WHEREAS the hearing on the merits was scheduled to continue on July 13, 2023 at 10:00 a.m. (Pacific);

AND WHEREAS on July 13, 2023, Staff attended the hearing on the merits by videoconference and the Respondent did not attend;

AND WHEREAS shortly after 10:00 a.m. (Pacific) on July 13, 2023, the Respondent contacted Staff and the Corporate Secretary's Office, Mutual Fund Dealer Division to inform Staff and the Hearing Panel that he had been hospitalized and was unable to attend and participate in the hearing on the merits electronically by videoconference or by teleconference and the Hearing Panel treated the Respondent's correspondence as a fourth motion for an adjournment of the hearing on the merits;

AND WHEREAS upon receipt of confirmation that the Respondent was hospitalized and unable to participate in the hearing on the merits electronically by videoconference or by teleconference, Staff consented to a temporary adjournment of the proceeding in light of the circumstances and the Hearing Panel adjourned the hearing of this matter on its merits *sine die* and scheduled an interim appearance to take place on July 26, 2023;

AND WHEREAS on July 26, 2023, an appearance took place before the Hearing Panel electronically that Staff attended by videoconference and the Respondent attended by teleconference;

AND WHEREAS at the July 26, 2023 appearance, the Respondent confirmed that he had had been discharged from the hospital;

AND UPON hearing oral submissions of Staff and the Respondent with respect to the scheduling of the continuation of the proceeding;

IT IS HEREBY ORDERED THAT:

1. Subject to any further Order of the Hearing Panel, the hearing of this matter on the merits shall continue electronically by videoconference on September 21-22, 2023 commencing at 10:00 a.m. (Pacific) each day, or as soon thereafter as the matter can be heard.

DATED this 26th day of July, 2023.

“Joseph Bernardo”

Joseph Bernardo,
Chair

“Barbara Fraser”

Barbara Fraser,
Investment Representative

“Sean Shore”

Sean Shore,
Industry Representative