



CIRO · OCRI

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 which was held electronically, with the Respondent attending by teleconference and Staff of CIRO (“Staff”) attending by videoconference, before one public representative of a district hearing committee acting on behalf of a hearing panel of the Pacific District Hearing Committee of the New SRO, pursuant to section 19.13 of MFDA By-law No. 1 (now Mutual Fund Dealer Rule 7.2.4(b)), 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, 2023, the Respondent brought a motion for various relief including an adjournment of the hearing on the merits on the basis of the Respondent's claim that he is suffering from a medical condition that will prevent him from participating by videoconference in the hearing on the merits on July 11, 2023 as scheduled;

AND WHEREAS on July 7, 2023, the Respondent's motion was heard electronically, with the Respondent attending by teleconference and Staff attending by videoconference, before one public representative of a district hearing committee acting on behalf of a hearing panel of the Pacific District Hearing Committee of the New SRO, pursuant to section 19.13 of MFDA By-law No. 1 (now Mutual Fund Dealer Rule 7.2.4(b)) and the Respondent's motion was dismissed without prejudice to the Respondent's right to renew his motion for an adjournment supported by further evidence prior to the commencement of the hearing;

AND WHEREAS on July 11, 2023, prior to the commencement of the hearing of this matter on its merits, the Respondent brought a second motion for an adjournment and other relief set out in a Notice of Motion, however, the Hearing Panel declined to hear the Respondent's July 11, 2023 motion on the basis that the relief sought had already been dismissed by the Hearing Panel on Friday, July 7, 2023 and the July 11, 2023 motion was not supported by any additional evidence that was not before the Hearing Panel on July 7, 2023;

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

AND WHEREAS on July 12, 2023, the Respondent brought a third motion seeking an adjournment of the hearing on the merits and other relief set out in a Notice of Motion and submitted a letter that he had obtained from a doctor (the "Doctor's Letter") following the hearing on July 11, 2023 in support of his request for an adjournment of the hearing on the merits;

AND WHEREAS Staff opposed the Respondent's motion;

AND UPON reading the Doctor's Letter and hearing oral submissions of the Respondent and Staff with respect to the Respondent's third motion for an adjournment of the hearing on the merits;

IT IS HEREBY ORDERED THAT:

1. The Respondent's motion for an adjournment of the hearing on the merits is dismissed.
2. The hearing on the merits of this matter shall continue today, July 12, 2023;
3. If at any time a non-party to this proceeding, with the exception of the bodies set out in Mutual Fund Dealer Rule 6.3, requests production of or access to exhibits in this proceeding that contain personal information as defined by CIRO's Privacy Policy, then the Corporate Secretary's Office, Mutual Fund Dealer Division of CIRO shall not provide to the non-party, copies of or access to the requested exhibits without first redacting from them any and all personal information, pursuant to Rules 1.8(2) and (5) of the Mutual Fund Dealer Rules of Procedure.

DATED this 12th day of July, 2023.

"Joseph Bernardo"

Joseph Bernardo,
Chair

"Barbara Fraser"

Barbara Fraser,
Industry Representative

"Sean Shore"

Sean Shore,
Industry Representative