



Mutual Fund Dealers Association of Canada
Association canadienne des courtiers de fonds mutuels

**IN THE MATTER OF A SETTLEMENT HEARING
PURSUANT TO SECTION 24.4 OF BY-LAW NO. 1 OF
THE MUTUAL FUND DEALERS ASSOCIATION OF CANADA**

Re: Murray Harold Wellman and Michael John Wellman

ORDER

WHEREAS on August 11, 2015, the Mutual Fund Dealers Association of Canada (the “MFDA”) issued a Notice of Settlement Hearing pursuant to section 24.4 of MFDA By-law No. 1 in respect of Murray Harold Wellman and Michael John Wellman (collectively, the “Respondents”);

AND WHEREAS the Respondents entered into a settlement agreement with Staff of the MFDA, dated August 9, 2015 (the “Settlement Agreement”), in which the Respondents agreed to a proposed settlement of matters for which the Respondents could be disciplined pursuant to ss. 20 and 24.1 of By-law No. 1;

AND WHEREAS the Hearing Panel is of the opinion that:

- (a) between about April 2011 and October 2013, the Respondents altered the risk tolerances, investment objectives or investment instructions that were recorded on 7 account forms in respect of 6 clients, contrary to MFDA Rule 2.1.1;

- (b) between about January 2011 and April 2013, the Respondents obtained, maintained and, in some instances, used to process trades, 29 pre-signed account forms and 1 pre-signed cheque in respect of 16 clients, contrary to MFDA Rule 2.1.1; and
- (c) on February 21, 2013, the Respondents processed a trade in a client account without documenting the client's authorization of the trade, contrary to MFDA Rule 2.1.1.

IT IS HEREBY ORDERED THAT the Settlement Agreement is accepted, as a consequence of which:

1. The Respondent, Murray Harold Wellman shall pay:
 - (a) a fine in the amount of \$10,000, pursuant to s. 24.1.1(b) of MFDA By-law No. 1; and
 - (b) costs in the amount of \$1,000 pursuant to s. 24.2 of MFDA By-law No. 1.
2. The Respondent, Michael John Wellman shall pay:
 - (a) a fine in the amount of \$10,000, pursuant to s. 24.1.1(b) of MFDA By-law No. 1; and
 - (b) costs in the amount of \$1,000 pursuant to s. 24.2 of MFDA By-law No. 1.
3. The Respondents shall in the future comply with MFDA Rule 2.1.1.

DATED this 29th day of October, 2015.

“Paul M. Moore”

Paul M. Moore, Q.C.
Chair

“Kenneth P. Mann”

Kenneth P. Mann
Industry Representative

“T. Hugh McNabney”

T. Hugh McNabney
Industry Representative

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