



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

**IN THE MATTER OF A DISCIPLINARY HEARING  
PURSUANT TO SECTIONS 20 AND 24 OF BY-LAW NO. 1 OF  
THE MUTUAL FUND DEALERS ASSOCIATION OF CANADA**

**Re: Kimberly Ann Haylock**

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**ORDER**

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**WHEREAS** on February 1, 2013, the Mutual Fund Dealers Association of Canada (the “MFDA”) issued a Notice of Hearing pursuant to section 20.1 of MFDA By-law No. 1 in respect of Kimberly Ann Haylock (the “Respondent”);

**AND WHEREAS** on March 21, 2013, a first appearance in this proceeding took place by teleconference before a hearing panel of the Central Regional Council of the MFDA (the “Hearing Panel”) at which time a Hearing on the Merits was scheduled for June 17 and 18, 2013;

**AND WHEREAS** the Respondent entered into a settlement agreement with Staff of the MFDA (“Staff”), dated June 7, 2013 (the “Settlement Agreement”), in which the Respondent agreed to a proposed settlement of matters for which the Respondent could be disciplined pursuant to ss. 20 and 24.1 of By-law No. 1;

**AND WHEREAS** on June 10, 2013, the MFDA issued a Notice of Settlement Hearing pursuant to section 24.4 of By-law No. 1 in respect of the Respondent;

**AND WHEREAS** Staff and the Respondent made a joint request for the abridgement of the 10 day notice period required by Rule 15.2(1) of the MFDA Rules of Procedure (the “Rules”) in order to permit the Hearing Panel to proceed with the Settlement Hearing on June 18, 2013;

**AND WHEREAS** the Hearing Panel is of the opinion that:

1. Between February 17, 2010 and November 25, 2011, the Respondent engaged in personal financial dealings with client MB by borrowing approximately \$2,200 from client MB, thereby giving rise to a conflict or potential conflict of interest between the interests of the Respondent and the interests of client MB, which the Respondent failed to ensure was addressed by the exercise of responsible business judgment influenced only by the best interests of client MB, contrary to MFDA Rule 2.1.4.

**IT IS HEREBY ORDERED THAT** the 10 day notice period required under Rule 15.2(1) of the Rules is abridged pursuant to Rule 2.2 (1) of the Rules and the Settlement Agreement is accepted, as a consequence of which:

1. The Respondent shall pay a fine in the amount of \$3,000, pursuant to section 24.1(b) of MFDA By-law No. 1;

2. The Respondent shall pay costs of this proceeding in the amount of \$2,000, pursuant to section 24.2 of MFDA By-law No. 1;

3. The payment by the Respondent of the fine and costs in paragraphs 1 and 2 above shall be made to and received by MFDA Staff in certified funds as follows:

(a) \$2,000 (costs) upon entering into the settlement agreement;

(b) \$1,500 (fine) on or before July 31, 2013; and

(c) \$1,500 (fine) on or before September 30, 2013;

4. If the Respondent fails to make any of the payments described in subparagraphs (a) to (c) above, then the MFDA shall summarily, without further notice, suspend the authority of the Respondent to conduct securities related business until such time as the

fine or costs are paid;

5. The Respondent shall in the future comply with all applicable MFDA By-laws, Rules and Policies and all applicable securities legislation and regulations made thereunder, including MFDA Rules 2.1.4, 2.1.1, 1.1.2 and 2.5.1; and

6. If at any time a non-party to this proceeding requests production of, or access to, any materials filed in, or the record of, this proceeding, including all exhibits and transcripts, then the MFDA Corporate Secretary shall not provide copies of, or access to, the requested documents to the non-party without first redacting from them any and all intimate financial or personal information, pursuant to Rules 1.8(2) and (5) of the MFDA *Rules of Procedure*.

**DATED** this 18<sup>th</sup> day of June, 2013.

“Patrick T. Galligan”

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The Hon. Patrick T. Galligan, Q.C.,  
Chair

“Paul M. Moore”

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Paul M. Moore, Q.C.,  
Industry Representative

“Vasant Pachapurkar”

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Vasant Pachapurkar,  
Industry Representative

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