



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 MFDA BY-LAW NO. 1
OF THE MUTUAL FUND DEALERS ASSOCIATION OF CANADA**

Re: Ronald Lindsay Brown

ORDER

WHEREAS this proceeding was commenced by Notice of Hearing issued May 14, 2008;

WHEREAS prior to an appearance before the Hearing Panel by teleconference on February 23, 2010 to set a schedule for the continuation of this proceeding, the Respondent informed Staff that he did not intend to participate in the teleconference call on February 23, 2010;

AND WHEREAS Sandy Grant, who was an industry representative on the Hearing Panel prior to February 23, 2010, was elected to the Board of Directors of the MFDA and was therefore unable to continue to serve on the Hearing Panel;

AND WHEREAS the Chair of the Hearing Panel exercised his discretion pursuant to s. 19.9(b) of MFDA By-law No. 1 to continue the proceeding with a two-member Hearing Panel and an Order dated March 5, 2010 was issued by the Hearing Panel which stated, among other things, that the hearing would proceed with a two-member Hearing Panel;

AND WHEREAS following the February 23, 2010 appearance by teleconference, the Respondent served and filed a Notice of Motion returnable on

Monday, May 31, 2010 and indicated his intention to participate in the hearing on the merits;

AND WHEREAS having regard to the Respondent's decision after February 23, 2010 to participate in the proceeding, the novel issues raised by the Respondent's motion and the desirability of having a three-member Hearing Panel that includes two industry representatives presiding over a disciplinary proceeding, an appearance was scheduled by teleconference on May 18, 2010 at which Staff and the Respondent requested that the Chair of the Hearing Panel consider appointing an industry representative to replace Mr. Grant on the Hearing Panel prior to the hearing of the Respondent's motion and the hearing of the matter on its merits;

AND UPON HEARING oral submissions of Staff and the Respondent during the appearance by teleconference on May 18, 2010;

AND WHEREAS in accordance with s. 19.9(b) of MFDA By-law No. 1, the Chair of the Hearing Panel is of the opinion that a second industry representative should be appointed to the Hearing Panel so that the proceeding continues before a three-member Hearing Panel;

IT IS HEREBY ORDERED THAT:

1. The Corporate Secretary's Office of the MFDA shall appoint a second industry representative to the Hearing Panel prior to the hearing of the Respondent's motion on May 31, 2010.

DATED this 18th day of May, 2010.

Per: "Thomas J. Lockwood"
Thomas J. Lockwood, Q.C., Chair

Per: "Christopher Marrese"
Christopher Marrese, Industry Representative