

2004 BCSECCOM 641

Extension of Temporary Orders and Adjournment

QuickEx Inc., David J. Rogerson, Gregory Yanke, Stephen Spink and Paul Trennum

Section 161 of the *Securities Act*, RSBC 1996, c. 418

Hearing

Panel	Robin E. Ford	Commissioner
	Marc A. Foreman	Commissioner
	Robert J. Milbourne	Commissioner

Dates of Hearing November 2, 5 and 8, 2004

Date of Ruling November 16, 2004

Appearing

Joseph A. Bernardo	For the Executive Director
Alan E. Keats	

Patricia A.A. Taylor	For QuickEx Inc., David J. Rogerson, Stephen Spink and Paul Trennum
Jody Puscas	

H. Roderick Anderson	For Gregory Yanke
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Ruling

- ¶ 1 The British Columbia Securities Commission is to determine whether it is in the public interest to make orders under the *Securities Act* against QuickEx Inc., David J. Rogerson, Gregory Yanke, Stephen Spink and Paul Trennum.
- ¶ 2 On October 19, 2004, the executive director issued a notice of hearing and ordered that:
 1. under section 161(1)(a) of the Act, the respondents comply with or cease contravening the Act;
 2. under section 161(1)(b) of the Act, all persons cease trading in the shares of QuickEx and David J. Rogerson, Gregory Yanke, Stephen Spink and Paul Trennum (collectively, the individuals) cease trading in and be prohibited from purchasing any securities; and

2004 BCSECCOM 641

3. under section 161(1)(d) of the Act, the individuals resign from any positions they may each hold as a director or officer of any issuer, and be prohibited from becoming or acting as a director or officer of any issuer and from engaging in investor relations activities,

for a period expiring on November 2, 2004.

- ¶ 3 On November 2, 2004, the executive director asked the commission to extend the temporary orders until a decision is rendered.
- ¶ 4 On November 2, 2004, the hearing was adjourned to November 5 and further adjourned to November 8 and on each adjournment the commission, considering it to be necessary and in the public interest, extended the temporary orders, with the exception that Mr Yanke may act as an officer and director of Gregory S. Yanke Law Corporation.
- ¶ 5 On November 8, the commission, considering it to be necessary and in the public interest, extended the temporary orders, with the exception that Mr Yanke may act as an officer and director of Gregory S. Yanke Law Corporation, until the commission issues its decision on the application to extend the temporary orders.
- ¶ 6 On November 8, 2004, the commission adjourned the hearing until December 7, 2004, at 10 am at the British Columbia Securities Commission, 12th floor hearing room, 701 West Georgia Street, Vancouver, when it will set a date for the hearing.
- ¶ 7 Having considered the evidence and the parties' submissions, we conclude that the evidence provided does not support a prima facie case of breach of the Act.
- ¶ 8 Accordingly, it is not appropriate for us to go on to consider whether the temporary orders are necessary and in the public interest and should be extended. We therefore decline to grant the application of the executive director to extend the temporary orders and the orders are terminated immediately.
- ¶ 9 November 16, 2004

Robin E. Ford
Commissioner

2004 BCSECCOM 641

Marc A. Foreman
Commissioner

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Commissioner