

2010 BCSECCOM 438

**Icahn Partners LP, Icahn Partners Master Fund LP,
Icahn Partners Master Fund II LP,
Icahn Partners Master Fund III LP, High River Limited Partnership,
Icahn Fund S.À R.L. and Daazi Holding B.V., 7508921 Canada Inc. and
Ronald G. Atkey, in his capacity as sole trustee of the LGE Trust
(collectively, the “Icahn Group”)**

and

**Lions Gate Entertainment Corp., MHR Institutional Partners III LP,
MHR Fund Management LLC and Dr. Mark H. Rachesky**

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

Panel	Brent W. Aitken	Vice Chair
	Kenneth G. Hanna	Commissioner
	David J. Smith	Commissioner

Date of application July 28, 2010

Date of ruling July 30, 2010

Appearing

Mark Gelowitz For the Icahn Group
Allan Coleman
Robert Anderson, Q.C.

Mark D. Andrews, Q.C. For Lions Gate Entertainment Corp.
Lata Casciano
Andrew Nathanson

Stephen R. Schachter, Q.C. For the MHR Parties
David Schultz
Alex Moore

Shawn McColm For the Executive Director
Leslie Rose
Gordon Smith

Ruling

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¶ 1 On July 28, 2010, we heard Icahn Group's application for temporary cease trade orders related to its take over bid for Lions Gate Entertainment Corp. After considering submissions from the parties and the public interest, we dismissed the application.

¶ 2 July 30, 2010

¶ 3 **For the Commission**

Brent W. Aitken
Vice Chair

Kenneth G. Hanna
Commissioner

David J. Smith
Commissioner