

2002 BCSECCOM 796

Notice of Hearing

**Daryl Arthur Bennett and
James Andrew Guttridge**

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

- ¶ 1 A hearing will be held (the Hearing) to give the Daryl Arthur Bennett and James Andrew Guttridge (the Respondents) an opportunity to be heard before the British Columbia Securities Commission considers whether it is in the public interest to make the following orders:
1. pursuant to section 161(1)(a) of the *Securities Act*, RSBC 1996, c. 418, that the Respondents comply with the provisions of section 87(4) of the Act by filing insider reports and pay any fee prescribed for the filing of such reports outside the time period prescribed by the Act;
 2. pursuant to section 161(1)(c) of the Act, that any or all of the exemptions described in sections 44 to 47, 74, 75, 98 or 99 do not apply to the Respondents;
 3. pursuant to section 161(1)(d) of the Act, that the Respondents resign any position they hold as directors or officers of any issuer and be prohibited from becoming or acting as directors or officers of any issuer;
 4. pursuant to section 161(1)(d) of the Act, that the Respondents be prohibited from engaging in investor relations activities;
 5. pursuant to section 162 of the Act, that the Respondents pay an administrative penalty;
 6. pursuant to section 174 of the Act, that the Respondents pay prescribed fees or charges for the costs of, or related to, the Hearing; and
 7. to make any other orders as may be appropriate in the circumstances.

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- ¶ 2 The Commission will be asked to consider the following facts and allegations in making its determination:
1. MCB Investment Corp. (MCB) was incorporated in British Columbia on February 2, 1981. MCB has been a reporting issuer in British Columbia since a preliminary receipt for a prospectus was issued to it by the Commission on January 20, 1982.
 2. The shares of MCB traded on the Canadian Venture Exchange (now the TSX Venture Exchange) under the symbol MBC.
 3. Daryl Arthur Bennett (Bennett) was a director of MCB from June 26, 1997 to July 21, 2000. He is a resident of Westlake Village, California.
 4. James Andrew Guttridge (Guttridge) was a director of Ferocious Fish Productions Ltd. (FFP), a wholly owned subsidiary of MCB, from May 18, 1999, or earlier, to October 19, 2000. He is a resident of Los Angeles, California.
 5. During the period from October 28, 1999 to July 14, 2000, Bennett was an insider of MCB and made changes in his direct or indirect beneficial ownership of, or control or direction over, securities of MCB through 28 sales and 22 purchases for which he did not file insider reports, contrary to section 87 of the Act.
 6. During the period December 2, 1999 and August 17, 2000, Guttridge was an insider of MCB and made changes in his direct or indirect beneficial ownership of, or control or direction over, securities of MCB through 21 sales for which he did not file insider reports, contrary to section 87 of the Act.
 7. The failure of Bennett and Guttridge to file insider reports in accordance with section 87 of the Act was contrary to the public interest.
- ¶ 3 The Respondents may be represented by counsel at the Hearing, and make representations and lead evidence. The Respondents are requested to advise the Commission of their intention to attend the Hearing by informing the Commission Secretary at PO Box 10142, Pacific Centre, 701 West Georgia Street, Vancouver, BC V7Y 1L2 phone: (604) 899-6500; email: commsec@bcsc.bc.ca.

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- ¶ 4 The Respondents or their counsel are required to attend at the 12th Floor Hearing Room, 701 West Georgia Street, Vancouver, British Columbia, on Wednesday, October 2, 2002, at 10:00 am if they wish to be heard before the Commission sets a date for the Hearing.
- ¶ 5 Determinations may be made in this matter if the Respondents, or their counsel, do not appear at the Hearing.
- ¶ 6 August 29, 2002

- ¶ 7 Steve Wilson
Executive Director