

# 2010 BCSECCOM 293

## Settlement Agreement

### Northern Securities Inc.

#### *Securities Act, RSBC 1996, c. 418*

¶ 1 The Executive Director of the British Columbia Securities Commission (the Executive Director) and Northern Securities Inc. (Northern) agree as follows:

#### **Agreed Statement of Facts**

1. incredible Northern is registered under the *Securities Act*, RSBC 1996, c. 418 as an Investment Dealer (Securities) and is a member of the Investment Industry Regulatory Organization of Canada (IIROC). Northern is also registered under securities legislation of other Canadian jurisdictions.
2. In May 2004, Northern reached a settlement with the Executive Director and agreed to orders under section 161 of the Act, respecting a violation of a cease trade order (CTO).
3. P2 Solar, Inc. (P2) is an Over the Counter reporting issuer under BC Instrument 51-509 *Issuers Quoted in the U.S. Over-the-Counter Markets* (BCI 51-509).
4. On September 1, 2009, under section 164(1) of the Act, the Executive Director issued a CTO against P2, whose shares are quoted on the US Over the Counter Bulletin Board (OTCBB).
5. On September 18, 2009, Northern accepted an unsolicited order on behalf of a BC client to sell 8,000 shares of P2. Northern did not refuse the order as its system did not include the P2 CTO.
6. On September 21, 2009, when Northern became aware of the P2 trade, they cancelled the trade and reversed the commission charged to the client.
7. On October 21, 2009, Northern accepted a second unsolicited order from a BC client to sell 10,000 shares of P2. Once again, Northern did not refuse the order as its system did not include the P2 CTO.
8. On October 22, 2009, when Northern became aware of the second P2 trade, they cancelled the trade and reversed the commission charged to the client.

## 2010 BCSECCOM 293

9. Northern self-reported their breach of the P2 CTO.

### ***Misconduct***

10. Northern contravened an order issued under section 164(1) of the Act.

### ***Public Interest***

11. Northern acted contrary to the public interest by engaging in the conduct set out above.

### ***Undertaking***

12. Northern undertakes to pay \$12,000 to the Commission, which is due and payable immediately without further demand.

### **Order**

¶ 2 The Executive Director will issue an order (the Order) that:

1. under section 161(1)(a) of the Act, Northern will comply fully with the Act, the *Securities Rules*, BC Reg. 194/97, and any applicable regulations; and
2. under section 161(1)(j) of the Act, Northern be reprimanded.

### **Consent to Reciprocal Orders**

¶ 3 Any securities regulator in Canada may rely on the facts admitted in this agreement solely for the purpose of making an order similar to the one contemplated above.

### **Waiver**

¶ 4 Northern waives any right they may have, under the Act or otherwise, to a hearing, hearing and review, judicial review or appeal related to, in connection with, or incidental to this settlement.

## 2010 BCSECCOM 293

### Counterpart

¶ 5 This Settlement Agreement may be executed in counterpart or by facsimile execution and all such counterparts of executed copies or faxed copies shall be read or construed together as if they formed one originally executed document.

¶ 6 May 11 , 2010

¶ 7 “Fred Vance” )  
Northern Securities Inc.  
(Signing Authority)

Fred Vance )  
Print Signing Authority Name )

“Kyler Wells” )  
Witness Signature )

Kyler Wells )  
Witness Name (please print) )

c/o Northern Securities )  
Address )  
145 King Street W., Ste. 2020 )

Toronto ON )

Lawyer )  
Occupation )

¶ 8 May 11, 2010

“Paul Bourque”

¶ 9 Paul C. Bourque, Q.C.  
Acting Executive Director