

BRITISH COLUMBIA SECURITIES COMMISSION
Securities Act, RSBC 1996, c. 418

Citation: Re Dunn, 2023 BCSECCOM 491

Date: 20231016

Variation Order

Patrick Aaron Dunn and Viribus Structural Connectors Inc.

Section 171 of the *Securities Act*, RSBC 1996, c. 418

Background

- [1] On May 18, 2023, the Commission issued sanctions against Patrick Aaron Dunn (Dunn) and Viribus Structural Connectors Inc. (Viribus) under sections 161 and 162 of the *Securities Act*, R.S.B.C. 1996, c. 418 [*Re Patrick Aaron Dunn*, 2023 BCSECCOM 251].
- [2] Among the sanctions issued, the Commission ordered that:

under section 161(1)(d)(i) of the Act, Dunn resign any position he holds as a director or officer of an issuer or registrant, except that regarding Viribus Structural Connectors Inc., this order takes effect 90 days after the date of this order;

(the "Viribus Order").
- [3] Dunn filed in the Court of Appeal for British Columbia (the "BCCA"):
 - a) on June 16, 2023, a notice of appeal of the Order; and
 - b) on July 24, 2023, an application for leave to appeal and an application to stay the Order (the "CA Applications").
- [4] On July 27, 2023, Dunn applied to vary the Viribus Order to extend the effective date by 60 days such that the CA Hearing will precede the effective date of the Order.
- [5] The Commission granted Dunn's application to extend the effective date of the Viribus Order to October 15, 2023.
- [6] The hearing of the CA Applications occurred on October 11, 2023 and the BCCA denied leave to appeal on October 12, 2023.
- [7] Dunn requires more time to comply with the Viribus Order after the BCCA denied leave.
- [8] If it is not prejudicial to the public interest, the Commission may vary the Viribus Order under section 171 of the Act.
- [9] On October 16, 2023, being the first business day after October 15, 2023, a Sunday, Dunn applied to vary the Viribus Order to extend the effective date by another 30 days.

[10] The Executive Director consents to Dunn's application to vary the Viribus Order.

Order

[11] Considering that to do so would not be prejudicial to the public interest, the Commission, under section 171 of the Act, varies the Viribus Order to extend the effective date of the Viribus Order by 30 days, to **November 14, 2023**.

October 16, 2023

For the Commission

Gordon Johnson
Vice Chair

George C. Glover, Jr.
Commissioner

Marion Shaw
Commissioner