

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

Citation: Re Boddy, 2024 BCSECCOM 481

Date: 20241122

Brandon Wade Boddy

Panel	Deborah Armour, KC Gordon Johnson Karen Keilty	Commissioner Vice Chair Commissioner
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Submissions completed November 21, 2024

Ruling date November 22, 2024

Counsel
Beverly Ma For the Executive Director

Mikhael Magaril For Brandon Wade Boddy

Ruling

I. Background

- [1] On June 26, 2024, the executive director issued a Notice of Hearing, 2024 BCSECCOM 271, alleging that Brandon Wade Boddy (Boddy) refused to give evidence on oath and to produce records required for an investigation contrary to section 57.5 of the Act, and that Boddy is also liable under sections 161(6.1) and 162(3) of the Act.
- [2] On August 13, 2024, the Commission set hearing dates of November 25-29, 2024.
- [3] On November 18, 2024, Boddy applied to adjourn the hearing (Adjournment Application).
- [4] Boddy provided evidence and written submissions on the Adjournment Application to the panel.
- [5] The executive director provided written submissions objecting to the Adjournment Application, and applied for temporary orders against Boddy if the Adjournment Application was granted by the panel.

II. Order

- [6] Having reviewed the evidence and submissions provided by the parties and considering the public interest, the panel grants the Adjournment Application and adjourns the hearing generally.
- [7] The panel further directs the parties to attend a hearing management meeting at 11:00 am on November 26, 2024.

Temporary order

- [8] Considering that the length of time to hold a hearing in this matter under section 161(1) of the Act is prejudicial to the public interest, under sections 161(2) and (3) we order:

- (a) under section 161(1)(d)(i), Boddy resign any position he holds as a director or officer of any issuer or registrant;
- (b) Boddy is prohibited:
 - (i) under section 161(1)(b)(ii), from trading in or purchasing any securities or derivatives;
 - (ii) under section 161(1)(c), from relying on any of the exemptions set out in this Act, the regulations or a decision;
 - (iii) under section 161(1)(d)(ii), from becoming or acting as a director or officer of any issuer or registrant;
 - (iv) under section 161(1)(d)(iii), from becoming or acting as a registrant or promoter;
 - (v) under section 161(1)(d)(iv), from advising or otherwise acting in a management or consultative capacity in connection with activities in the securities or derivatives markets;
 - (vi) under section 161(1)(d)(v), from engaging in promotional activities by or on behalf of
 - (A) an issuer, security holder or party to a derivative, or
 - (B) another person that is reasonably expected to benefit from the promotional activity; and
 - (vii) under section 161(1)(d)(vi), from engaging in promotional activities on his own behalf in respect of circumstances that would reasonably be expected to benefit him;

until a hearing is held and a decision is rendered.

[9] Given the nature of the evidence relied on by Boddy for the purposes of the Adjournment Application, we order under section 19(2) of the Securities Regulation, BC Reg. 196/97 that that evidence be sealed from the public and all references to that evidence be redacted from the public version of the application materials.

[10] Our reasons will follow.

November 22, 2024

For the Commission

Deborah Armour, KC
Commissioner

Gordon Johnson
Vice Chair

Karen Keilty
Commissioner