

2009 BCSECCOM 391

Reciprocal Order

Gary Warren Michaels

Section 161(1) of the *Securities Act*, RSBC 1996, c. 418

Introduction

- ¶ 1 This is an order under sections 161(1) and 161(6)(d) of the *Securities Act*, RSBC 1996, c.418.

Background

- ¶ 2 Gary Warren Michaels has agreed with the Alberta Securities Commission to be subject to sanctions in a settlement agreement dated April 27, 2009 in [Michaels, Re, 2009 ABASC 182](#).

Order

- ¶ 3 After providing Michaels an opportunity to be heard, and considering staff's and Michaels' submissions, and considering it to be in the public interest, we order:
1. under section 161(1)(b) of the Act, that Michaels cease trading in, and is prohibited from purchasing, securities and exchange contracts until April 27, 2012, except that Michaels may trade and purchase securities through accounts in his name at a registered dealer,
 2. under section 161(1)(c) of the Act, that the exemptions described in sections 44 to 47, 74, 75, 98 and 99 do not apply to Michaels until April 27, 2012, except for those exemptions necessary to enable Michaels to trade and purchase securities as permitted in this order,
 3. under section 161(1)(d)(i) and (ii) of the Act, that Michaels resign any position he holds as, and is prohibited until April 27, 2010, from becoming or acting as, a director of any issuer, registrant or investment fund manager, and
 4. under section 161(1)(d)(iii) of the Act, that Michaels is prohibited until April 27, 2010, from becoming or acting as a registrant, investment fund manager or promoter.

- ¶ 4 July 9, 2009

¶ 5 **For the Commission**

Brent W. Aitken
Vice Chair

Don Rowlatt
Commissioner

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