

# 2002 BCSECCOM 428

## Order

**Peter Hans Simon, Sybille Anita Simon,  
The Lord Nelson Apartments Limited Partnership  
and RPF CA102 Limited Partnership  
(collectively, the Respondents)**

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

### Background

¶ 1

The Executive Director has entered into a Settlement Agreement with the Respondents, a copy of which is attached as Schedule “A”.

### The Order

¶ 2

The Executive Director, considering it to be in the public interest to do so, orders, by consent (the Order), that:

*Peter Hans Simon*

1. Under section 161(1)(b) of the *Securities Act*, RSBC 1996, c. 418 (the Act) for a period of 10 years from the date of this Order, Peter Hans Simon may purchase securities only through a single registered dealer designated in writing by him and approved by the Executive Director and that before any such purchases take place, he must deliver to the registered dealer a copy of this Order.
2. Under section 161(1)(c) of the Act, the registration exemptions described in sections 44 to 47, 74, 75, 98 or 99 of the Act do not apply to Peter Hans Simon for a period of 10 years from the date of the Order and he may not, therefore sell any securities, except that he may sell securities beneficially owned by him at the date of the Order, subject to the following conditions:
  - (a) that before any sales take place, he must deliver a sworn declaration to the Executive Director listing all of the securities beneficially owned by him at the date of the Order;
  - (b) that any such sales must take place through a single registered dealer designated in writing by him and approved by the Executive Director;
  - (c) that before any such sales take place, he must deliver to the registered dealer a copy of the Order; and

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- (d) that no unusual effort will be made to prepare the market or create a demand for the securities.
3. Under section 161(1)(d) of the Act, Peter Hans Simon is prohibited from being or acting as a director or officer of any issuer, for a period ending on the later of:
    - (a) ten years from the date of the Order;
    - (b) the date on which the compensation order referred to in paragraph 22 of the Settlement Agreement is satisfied; and
    - (c) the date that he has successfully completed a course of study satisfactory to the Executive Director concerning the duties and responsibilities of directors and officers of reporting issuers.
  4. Under section 161(1)(d) of the Act, Peter Hans Simon is prohibited from engaging in investor relations activities for a period ending on the later of:
    - (a) ten years from the date of the Order;
    - (b) the date on which the compensation order referred to in paragraph 22 of the Settlement Agreement is satisfied; and
    - (c) the date that he has successfully completed a course of study satisfactory to the Executive Director concerning investor relations.

### *Sybille Anita Simon*

5. Under section 161(1)(b) of the Act, for a period of 10 years from the date of the Order, Sybille Anita Simon may purchase securities only through a single registered dealer designated in writing by her and approved by the Executive Director and that before any such purchases take place, she must deliver to the registered dealer a copy of the Order.
6. Under section 161(1)(c) of the Act, the registration exemptions described in sections 44 to 47, 74, 75, 98 or 99 of the Act do not apply to Sybille Anita Simon for a period of 10 years from the date of the Order and she may not, therefore sell any securities, except that she may trade securities beneficially owned by her at the date of the Order, subject to the following conditions:
  - (a) that before any sales take place, she must deliver a sworn declaration to the Executive Director listing all of the securities beneficially owned by her at the date of the Order;

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- (b) that any such sales must take place through a single registered dealer designated in writing by her and approved by the Executive Director;
  - (c) that before any such sales take place, she must deliver to the registered dealer a copy of the Order; and
  - (d) that no unusual effort will be made to prepare the market or create a demand for the securities.
7. Under section 161(1)(d) of the Act, Sybille Anita Simon is prohibited from being or acting as a director or officer of any issuer, for a period ending on the later of:
- (a) ten years from the date of the Order;
  - (b) the date on which the compensation order referred to in paragraph 22 of the Settlement Agreement is satisfied; and
  - (c) the date that she successfully completes a course of study satisfactory to the Executive Director concerning the duties and responsibilities of directors and officers of reporting issuers.
8. Under section 161(1)(d) of the Act, Sybille Anita Simon is prohibited from engaging in investor relations activities for a period ending on the later of:
- (a) ten years from the date of the Order;
  - (b) the date on which the compensation order referred to in paragraph 22 of the Settlement Agreement is satisfied; and
  - (c) the date that she has successfully completed a course of study satisfactory to the Executive Director concerning investor relations.

*The Lord Nelson Apartments Limited Partnership*

9. Under section 161(1)(b) of the Act, all persons cease trading in, and are prohibited from purchasing, any securities of The Lord Nelson Apartments Limited Partnership.

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*RPF CA102 Limited Partnership*

10. Under section 161(1)(b) of the Act, all persons cease trading in, and are prohibited from purchasing, any securities of RPF CA102 Limited Partnership.

¶ 3

May 21, 2002

Steve Wilson  
Executive Director