

2009 BCSECCOM 670

Variation Order

Dalton Bruce Dupasquier

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

Background

- ¶ 1 On September 11, 2009, the Executive Director entered into an Agreed Statement of Facts and Undertaking with Dalton Bruce Dupasquier (Dupasquier) and, by consent, issued an order (the Order) against him under section 161 of the *Securities Act*, RSBC 1996, c. 418 (the Act).
- ¶ 2 Among other sanctions, the Order restricts Dupasquier's ability to purchase and trade securities for one year.
- ¶ 3 In past years, prior to the year end, Dupasquier has conducted a series of trades (Straddle Trades) in derivative securities linked to the performance of the Standard & Poor's 500 index (S&P 500) for the purpose of obtaining a tax benefit.
- ¶ 4 Dupasquier has applied to the Executive Director under section 171 of the Act to vary the Order to allow him to conduct the Straddle Trades.

Order

- ¶ 5 The Executive Director, considering that it would not be prejudicial to the public interest, varies the Order under section 171 of the Act to allow Dupasquier, through a Registered Representative, to:
- a. purchase a long position in the S&P 500 between the date of this order and the end of the year;
 - b. purchase a short position in the S&P 500 between the date of this order and the end of the year;
 - c. sell one of the above positions before the end of the year; and
 - d. sell the remaining position in January 2010.
- ¶ 6 November 25, 2009
- “L.E. Evans”
- ¶ 7 Langley Evans
Acting Executive Director