

2012 BCSECCOM 422

Order

Berkeley Coffee & Tea, Inc. and Sean Tan

Securities Act, RSBC 1996, c. 418

- ¶ 1 The Executive Director of the British Columbia Securities Commission has entered into a settlement agreement with Berkeley Coffee & Tea, Inc. (Berkeley) and Sean Tan (Tan), a copy of which is attached as Schedule A.

Order

- ¶ 2 Pursuant to the Act, the Executive Director orders that:
1. under section 161(1)(a) of the Act, that Berkeley and Tan comply fully with the Act, the Securities Rules, and any applicable regulations;
 2. under section 161(1)(d)(i) and (ii) of the Act, Tan is prohibited from becoming or acting as a director or officer of any issuer until the later of:
 - (a) three years from the date of the Order; and
 - (b) the date Tan has successfully completed a course of study satisfactory to the Executive Director concerning the duties and responsibilities of directors and officers,except that Tan may remain a director and officer of Berkeley and its wholly owned subsidiary, DTS8 Holdings Co., Ltd.
 3. under section 161(1)(d)(v) of the Act, Tan is prohibited from engaging in investor relations activities until the later of:
 - (a) three years from the date of the Order; and
 - (b) the date Tan has successfully completed a course of study satisfactory to the Executive Director concerning the duties and responsibilities of directors and officers.

except that Tan may engage in investor relations activities in respect of Berkeley and its wholly owned subsidiary, DTS8 Holdings Co., Ltd.

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4. under section 172 of the Act, any future capital raising activities by Berkeley in British Columbia must be done through an exempt market dealer or registrant.

¶ 3 November 13, 2012

Paul Bourque

¶ 4 Paul C. Bourque, Q.C.
Executive Director