

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

Citation: Re Boddy, 2025 BCSECCOM 366

Date: 20250808

<b>Panel</b>	Deborah Armour, KC Gordon Johnson Karen Keilty	Commissioner Vice Chair Commissioner
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**Submissions completed** August 6, 2025

**Ruling date** August 8, 2025

<b>Counsel</b> Beverly Ma Mila Pivnenko	For the Executive Director
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Mikhael Magaril	For Brandon Wade Boddy
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**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 the hearing on November 25-29, 2024.
- [3] On November 18, 2024, Boddy applied to adjourn the hearing.
- [4] On November 22, 2024, the Commission adjourned the hearing.
- [5] On November 28, 2024, the Commission set the hearing on August 11, 12, 13, 15 and 18 , 2025.
- [6] On July 25, 2025, Boddy applied to adjourn the hearing (2<sup>nd</sup> Adjournment Application). He provided evidence and written submissions. He also applied for the evidence submitted in support of the 2<sup>nd</sup> Adjournment Application to be sealed.
- [7] On August 1, 2025, the executive director provided evidence and written submissions in response to the 2<sup>nd</sup> Adjournment Application. The executive director consented to an adjournment if the adjournment order is made concurrently with an order that the hearing proceed in writing. The executive director opposed an adjournment if the hearing would not proceed in writing. The executive director did not oppose Boddy's application for a sealing order.

**II. Ruling**

- [8] After considering the written submissions of Boddy and the executive director, we:

- a) grant the application for the medical records filed by the respondents as part of this application to be sealed; and
- b) grant the 2<sup>nd</sup> Adjournment Application and order that the hearing proceed in writing on the following terms:
  - i. The executive director will submit his submissions on liability in writing, along with all evidence relied upon, in affidavit form, by the end of the business day on October 30, 2025;
  - ii. If Boddy wants to cross examine the executive director's affiant(s), then that cross examination will occur by December 12, 2025. The terms of that cross examination are:
    - 1. Boddy must assert that he will be cross examining the executive director's affiant(s) and must provide to the Hearing Office and to the executive director copies of all documents which might be relied upon at such cross examination at least 10 days before the cross examination commences;
    - 2. Boddy and the executive director must coordinate with the Hearing Office to arrange a date for that cross examination that is prior to or on December 11, 2025;
  - iii. Boddy's responding submissions on liability will be provided in writing along with all evidence relied upon, in affidavit form, by the end of the business day on February 5, 2026;
  - iv. If the executive director wants to cross examine Boddy's affiant(s), then that cross examination will occur by March 26, 2026. The terms of that cross examination are:
    - 1. The executive director must assert that he will be cross examining Boddy's affiant(s) and must provide to the Hearing Office and to the executive director copies of all documents which might be relied upon at such cross examination at least 10 days before the cross examination commences;
    - 2. The executive director and Boddy must coordinate with the Hearing Office to arrange a date for that cross examination that is prior to or on March 26, 2026;
  - v. If the executive director does not cross examine Boddy's affiant, then his reply will be provided by the end of the business day on March 5, 2026; and
  - vi. If the executive director elects to cross examine Boddy's affiant, then his reply will be provided by the end of the business day on April 16, 2026.

[9] Our reasons will follow.

August 8, 2025

**For the Commission**

Deborah Armour, KC  
Commissioner

Gordon Johnson  
Vice Chair

Karen Keilty  
Commissioner