

3 March 14

Robert B. Rush

P.O. Box 1510

Vernon, BC, V1T 8C2

British Columbia Securities Commission

P.O. Box 10142 Pacific Centre

701 West Georgia Street

Vancouver, BC, V7Y 1L2

Attention: Ms. Ann Gander, Secretary to the Commission

commsec@bcsc.bc.ca

Attention: Mr. Paul Bourque, Executive Director

pbourque@bcsc.bc.ca

Mutual Funds Dealer Association of Canada

121 King Street West, Suite 1000

Toronto, ON, M5H 3T9

Attention: Mr. Marco Wynnycky, Senior Hearings Coordinator

mwynnycky@mfda.ca

Attention: Mr. David Halasz, Senior Enforcement Counsel

dhalasz@mfda.ca

Dear Sirs/Madame,

**Re: IN THE MATTER OF A DISCIPLINARY HEARING
PURSUANT TO SECTIONS 20 AND 24 OF BY-LAW NO. 1 OF
THE MUTUAL FUND DEALERS ASSOCIATION OF CANADA**

**Re: Robert Bruce Rush MFDA File No. 03366/11//BC
Heard: July 11-12, November 12-13, 2013, in Vancouver, British Columbia**

Notice

Please take notice that I hereby apply for a Hearing and Review of a decision on misconduct dated January 2007 to November 2007 and a decision on penalty dated February 2, 2014 (collectively “the Decision”) of a Hearing Panel of the Pacific Regional Council of the MFDA (“Hearing Panel”) with respect to the above noted matter. This application is made pursuant to pursuant to section 27 and 28 of the B.C. Securities Act.

I am directly affected by the Decision because:

1. The decision found I contravened:
 - Section 20 and 24 of MFDA By-Law No. 1
2. The decision imposed:
 - A permanent prohibition from conducting securities related business in any capacity while in the employ of or associated with any MFDA Member;
 - A fine of \$90,000; and
 - Costs of \$10,000

Relief Sought

I request the following relief:

1. An order quashing the Decision of the Hearing Panel;
2. In the alternative to #1 above, an order setting aside one or more of the contraventions;
3. In the further alternative to #1 above, an order to decrease the penalty imposed; and
4. An order prohibiting the MFDA from pursuing the matter *de-novo* before a new hearing panel as the limitation period (under Section 24.1.4 of MFDA By-Law No.1) for the MFDA’s jurisdiction over me expired.

Grounds

The rounds for review are:

1. The Decision makes errors in law;
2. The Decision overlooks material evidence;
3. The Decision makes findings of facts not supported by the evidence;
4. The Decision misapprehends the evidence;
5. The Decision offends the principles of natural justice and procedural fairness;
6. The Decision did not take into account the defendant could not afford travel and accommodation costs to attend the Hearing in Vancouver; and
7. The Decision allowed the MDFA to use testimony and evidence from a civil suit filed against the respondent by Kevin and Toby Carson; the MDFA would not allow evidence or testimony brought forward by myself with respect to the civil suit or used as part of my defense.

A copy of the MFDA Decision and News Release are attached.

Regards,

Robert B. Rush