

VANCOUVER  
SEP 20 2018  
COURT OF APPEAL  
REGISTRY

FORM 1 (RULE 3 (A))

Court of Appeal File No.  
(For Registry Use Only)

CA45560

Supreme Court File No.

2017 BCSECCOM 365

Supreme Court Registry

Vancouver

COURT OF APPEAL

BETWEEN:

PAUL SE HUI OEI AND CANADIAN MANU IMMIGRATION & FINANCIAL SERVICES INC.

(PAUL OEI ET AL)

Appellant[s]

/

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AND:

BRITISH COLUMBIA SECURITIES COMMISSION AND THE EXECUTIVE DIRECTOR OF THE  
BRITISH COLUMBIA SECURITIES COMMISSION

Respondent[s]

/

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[\* Include only those parties whose interests are affected by the order sought by the appellant(s), except that the name of Plaintiff or Applicant in the Court below should always appear first]

AMENDED

NOTICE OF APPLICATION FOR LEAVE TO APPEAL

TAKE NOTICE that Paul Oei et al hereby applies for leave to appeal to the

Court of Appeal for British Columbia from the order of Nigel P. Cave, Audrey T. Ho & Suzanne K. Wiltshire of the

Other: British Columbia Securities Commission pronounced the day of 12-Dec-17, at

Vancouver, British Columbia. Findings Decision and Sanctions Decision 2018 BCSECCOM Aug. 8 2018

1. The appeal is from a:

☐ Trial Judgment

☐ Summary Trial Judgment

☒ Order of a Statutory Body

☐ Chambers Judgment

2. If the appeal is from an appeal under Rule 18-3 or 23-6 (8) of the Supreme Court Civil Rules or Rule 18-3 or 22-7 (8) of the Supreme Court Family Rules, name the maker of the original decision, direction or order:

3. Please identify which of the following is involved in the appeal:

☒ Constitutional/Administrative

☐ Civil Procedure

☐ Commercial

☐ Family

☐ Motor Vehicle Accidents

☐ Municipal Law

☐ Real Property

☐ Torts

☐ Equity

☐ Wills and Estates

And further take notice that the Court of Appeal will be moved at the hearing of this application for an order that (500 characters)

Sets aside the December 12, 2017 finding by the British Columbia Securities Commission (the "Commission") finding of violations of Section 57(b) of the Securities Act, if necessary returning Decision back for accurate findings of fact; and

Sets aside all sanctions of subsequent sanction hearing 2018 BCSECCOM 231 dated August 8, 2018 until resolution of findings of fact

The grounds of appeal are: (500 characters)

The Commission erred in law and in fact in its finding that Paul Oei et al had requisite mens rea of fraud and any subjective or objective knowledge or intent of prohibited act or victim deprivation.

The Commission erred in law and in fact in its section 161(1)(g) disgorgement analysis during sanctions reducing repayments; and The Commission erred by imposing sanctions on the appellants that were unreasonable and/or punitive in all of the circumstances.

The trial/hearing of this proceeding occupied  days .

Dated at  , British Columbia, this  .

  
Appellant/Solicitor for the Appell

To the respondent(s):

And to its solicitor:

This Notice of Leave to Appeal is given by

whose address for service is

To the respondent(s):

IF YOU INTEND TO PARTICIPATE in this proceeding, YOU MUST GIVE NOTICE of your intention by filing a form entitled "Notice of Appearance" (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and serve the notice of appearance on the appellant WITHIN 10 DAYS of receiving this Notice of Application for Leave to Appeal.

IF YOU FAIL TO FILE A NOTICE OF APPEARANCE

(a) you are deemed to take no position on the application, and

(b) the parties are not obliged to serve you with any further documents related to the application.

The filing registries for the British Columbia Court of Appeal are as follows:

Central Registry:

B.C. Court of Appeal  
Suite 400, 800 Hornby Street  
Vancouver BC V6Z 2C5

Other Registries:

B.C. Court of Appeal  
The Law Courts  
P.O. Box 9248 STN PROV GOVT  
850 Burdett Ave  
Victoria BC V8W 1B4

B.C. Court of Appeal  
223 - 455 Columbia Street  
Kamloops BC V2C 6K4

Inquiries should be addressed to (604) 660-2468 Fax filings: (604) 660-1951

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COURT FILE NO. CA45560  
VANCOUVER REGISTRY

**IN THE BRITISH COLUMBIA COURT OF APPEAL:**

BETWEEN:

PAUL SE HUI OEI AND  
CANADIAN MANU IMMIGRATION & FINANCIAL SERVICES INC.

APPELLANTS

AND:

BRITISH COLUMBIA SECURITIES COMMISSION AND THE  
EXECUTIVE DIRECTOR OF THE BRITISH COLUMBIA SECURITIES COMMISSION

RESPONDENTS

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**AMENDED NOTICE OF APPLICATION FOR LEAVE TO APPEAL**

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PAUL SE HUI OEI  
1802-7888 Ackroyd Road  
Richmond, B.C.  
V6X 2C9

Per: Paul Oei