



Court of Appeal File CA042714

COURT OF APPEAL

IN THE MATTER OF THE *SECURITIES ACT*  
R.S.B.C. 1996, c. 418

**THALBINDER SINGH POONIAN and SHAILU SHARON POONIAN**

**APPELLANTS**

**AND**

**BRITISH COLUMBIA SECURITIES COMMISSION and THE EXECUTIVE DIRECTOR  
OF THE BRITISH COLUMBIA SECURITIES COMMISSION**

**RESPONDENTS**

**ORDER**

**BEFORE:**

The Honourable Madam Justice Saunders  
The Honourable Madam Justice A. MacKenzie  
The Honourable Mr. Justice Fitch

Vancouver, British Columbia, May 31, 2017.

THE APPEAL from the Orders of the British Columbia Securities Commission at Vancouver, British Columbia dated March 13, 2015 (*Re: Poonian*, 2015 BCSECCOM 96), coming on for hearing on March 29 and 30, 2017; AND ON HEARING Joven Narwal and Mikhael Magaril counsel for the Appellants, Thalbinder Singh Poonian and Shailu Sharon Poonian and Leonard T. Doust, Q.C. and David A. Hainey counsel for the Respondent, the Executive Director of the British Columbia Securities Commission, and no one appearing for the Respondent, the British Columbia Securities

Commission; AND ON READING the materials filed herein, AND ON JUDGMENT BEING PRONOUNCED ON THIS DATE;

THIS COURT ORDERS that the appeal is allowed and the orders made under s. 161(1)(g) of the British Columbia Securities Act, R.S.B.C. 1996, c. 418 (the "Act") against the Appellants are set aside;

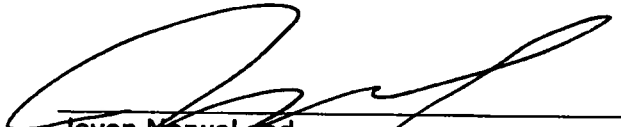
AND THIS FURTHER COURT ORDERS that pursuant to section 167(3) of the Act, this matter be remitted to the British Columbia Securities Commission to determine whether an order under s. 161(1)(g) of the Act should be made against each of the Appellants;


AND THIS COURT FURTHER ORDERS that the Appellants are entitled to the costs of the appeal from the Respondents promptly after assessment.

BY THE COURT

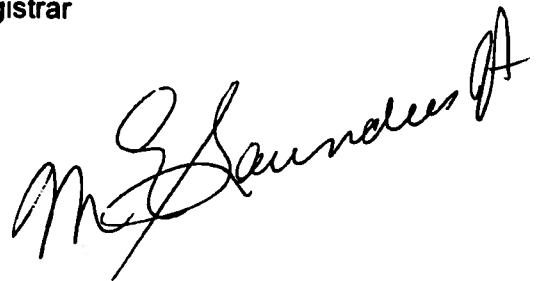
  
Deputy Registrar

APPROVED AS TO FORM:

  
Joven Narwal and  
Mikhael Magaril  
Counsel for Appellants, Thalbinder Singh  
Poonian and Shajir Sharon Poonian

  
Leonard T. Doust, Q.C. and  
David A. Hainey  
Counsel for Respondents,  
the Executive Director of the British  
Securities Commission





ENTERED

SEP 12 2017

VANCOUVER REGISTRY

VOL. 349 FOL. 33