

IN THE MATTER OF: THE SECURITIES ACT

-and-

IN THE MATTER OF: ERNEST DAVID JANZEN and

NOTICE OF HEARING

TAKE NOTICE that The Manitoba Securities Commission (the "Commission") will hold a public hearing (the "Hearing") at its offices at Room 1130 – 405 Broadway, Winnipeg, Manitoba on Monday, the 11th day of June, 2001 commencing at 10:00 o'clock in the forenoon or so soon thereafter as the Hearing can be held, and from day to day thereafter until the Hearing is concluded, to consider:

1. whether or not it is in the public interest to order, pursuant to subsection 148(1) of The Securities Act (the "Act"), that all trading in securities of Tri-West Investment Club shall cease;
2. whether or not it is in the public interest to order, pursuant to subsection 19(5) of the Act, that:
 - (a) subsections 19(1) and 19(3) of the Act do not, with respect to such of the trades referred to in those sections, apply to Ernest David Janzen ("Janzen");
 - (b) subsection 19(2) of the Act does not, with respect to such of the securities referred to in that section, apply to Janzen;
3. such further and other matters and the making of such further and other orders as the Commission may deem appropriate.

BY REASON OF THE FOLLOWING ALLEGATIONS, AMONG OTHER THINGS, THAT:

A. DETAILS:

1. Neither Janzen nor Tri-West Investment Club are registered under the Act to trade in securities in Manitoba.
2. No prospectus, preliminary prospectus or notice of intention to trade pursuant to the exemptions in clause 91 of the Regulation to the Act has been filed with the Commission, and no exemption order has been granted by the Commission, in respect of any trades in securities of Tri-West Investment Club.
3. Securities of Tri-West Investment Club have been traded to members of the public in Manitoba by Janzen, by virtue of, inter alia, the distribution of written information as to the particulars of the investment, a member referral program, and instructions on how to invest, as well as the collection of commission monies and a bonus unit in Tri-West Investment Club by Janzen for making referrals of new members to Tri-West Investment Club.

4. Written material as to investment in Tri-West Investment Club contains, inter alia, an application for prospective Tri-West Investment Club members (the "application") whereby persons may invest in units of \$1,000.00 USD in a leverage investment program for a period of one year, with a return of 10% (ten percent) per month.

5. The application contains the instruction that all transactions between the applicant and Tri-West Investment Club be kept strictly confidential.

6. The written material further contains, inter alia, details of a referral program whereby Tri-West Investment Club pays a referral bonus to the referring member of 15% of the referred investment and 15% of the earned investment income of the referred member.

7. Janzen has been advertising and promoting investment in the securities of Tri-West Investment Club and participation in its member referral program to members of the public in Manitoba.

8. Janzen has promoted investing in Tri-West Investment Club as being "the greatest opportunity I have ever seen."

B. ALLEGATIONS:

1. Staff of the Commission allege that:

(a) The trading of securities of Tri-West Investment Club by Janzen without registration and without prospectus contravenes the provisions of sections 6 and 37 of the Act;

and that due to these allegations, Janzen should not be entitled to use any of the exemptions set out in the Act and should not be entitled to participate in the exempt markets in Manitoba in the future and, furthermore, that due to these allegations, trading in respect of the securities of Tri-West Investment Club shall cease.

2. Such further and other matters as counsel may advise and the Commission may permit.

AND FURTHER TAKE NOTICE that a person or company attending or submitting evidence at the Hearing may be represented by counsel of its choice.

AND FURTHER TAKE NOTICE that any party to the proceedings may, at the Hearing, call witnesses and submit such evidence relevant to the Hearing as it may wish and, for that purpose, it may obtain from the Director of the Commission at Room 1130 – 405 Broadway, Winnipeg, Manitoba, a form or forms of summons to compel the attendance of witnesses.

AND FURTHER TAKE NOTICE that upon failure of any party to attend at the time and place aforesaid, the Hearing may proceed in that party's absence and the Commission may make or give any decision or order as though that party were present.

DATED at Winnipeg, Manitoba this 1st day of June, 2001.

"Douglas R. Brown"
Director, Legal and Enforcement

TO: TRI-WEST INVESTMENT CLUB
AND TO: ERNEST DAVID JANZEN