

IN THE MATTER OF: THE SECURITIES ACT

-and-

IN THE MATTER OF: BARBARA CAROLINE JOSEPH ("Joseph")
(formerly Barbara Caroline Todd)

STATEMENT OF ALLEGATIONS OF STAFF OF THE
MANITOBA SECURITIES COMMISSION

STAFF OF THE MANITOBA SECURITIES COMMISSION ALLEGE THAT:

A. STATEMENT OF FACTS

1. At all material times, Barbara Caroline Joseph ("Joseph") (formerly Barbara Caroline Todd) was not registered to trade in securities under The Securities Act of Manitoba (the "Act").
2. On September 2, 2003, Joseph pled guilty in the Provincial Court of Manitoba to three charges of trading in securities without being registered, contrary to section 6(1) of the Act and to three counts of trading without prospectus contrary to section 37(1) of the Act.
3. The charges before the court to which Joseph pled guilty were as follows:

COUNT 1:

BARBARA CAROLINE TODD (a) Joseph, between the 1st day of October, 1997 and the 31st day of January, 1998, both dates inclusive, at or near the City of Winnipeg, in the Province of Manitoba, did trade in a security to Melanie Longpre without being duly registered under The Securities Act, to wit: an investment contract for consideration of \$10,137.50 contrary to Section 6(1) of The Securities Act, and did thereby commit an offence contrary to Section 136(1)(c) of The Securities Act.

COUNT 3:

BARBARA CAROLINE TODD (a) Joseph, between the 1st day of October, 1997 and the 31st day of January, 1998, both dates inclusive, at or near the City of Winnipeg, in the Province of Manitoba, did trade in an investment contract in the course of a primary distribution to the public of the said security, both before a preliminary prospectus and a prospectus in respect of the offering of the said security had been filed with The Manitoba Securities Commission and receipts for such preliminary prospectus and prospectus had been obtained from the Director of The Manitoba Securities Commission, to wit: the trade of an investment contract to Melanie Longpre for consideration of \$10,137.50 contrary to Section 37(1) of The Securities Act, and did thereby commit an offence contrary to Section 136(1)(c) of The Securities Act.

COUNT 4:

BARBARA CAROLINE TODD (a) Joseph, between the 1st day of December, 1997 and the 31st day of May, 1998, both dates inclusive, at or near the City of Winnipeg, in the Province of Manitoba, did trade in a security to Marsha Johnson without being duly registered under The Securities Act, to wit: an investment contract for consideration of \$20,420.00 contrary to Section 6(1) of The Securities Act, and did thereby commit an offence contrary to Section 136(1)(c) of The Securities Act.

COUNT 6:

BARBARA CAROLINE TODD (a) Joseph, between the 1st day of December, 1997 and the 31st day of May, 1998, both dates inclusive, at or near the City of Winnipeg, in the Province of Manitoba, did trade in an investment contract in the course of a primary distribution to the public of the said security, before both a preliminary prospectus and a prospectus in respect of the offering of the said security had been filed with The Manitoba Securities Commission and receipts for such preliminary prospectus and prospectus had been obtained from the Director of The Manitoba Securities Commission, to wit: an investment contract to Marsha Johnson for consideration of \$20,420.00 contrary to Section 37(1) of The Securities Act, and did thereby commit an offence contrary to Section 136(1)(c) of The Securities Act.

COUNT 7:

BARBARA CAROLINE TODD (a) Joseph, between the 1st day of September, 1997 and the 31st day of October, 1997, both dates inclusive, at or near the City of Winnipeg, in the Province of Manitoba, did trade in a security to Georgia McLeod without being duly registered under The Securities Act, to wit: an investment contract for consideration of \$17,263.02, contrary to Section 6(1) of The Securities Act, and did thereby commit an offence contrary to Section 136(1)(c) of The Securities Act.

COUNT 9:

BARBARA CAROLINE TODD (a) Joseph, between the 1st day of September, 1997 and the 31st day of October, 1997, both dates inclusive, at or near the City of Winnipeg, in the Province of Manitoba, did trade in an investment contract in the course of a primary distribution to the public of the said security, before both a preliminary prospectus and a prospectus in respect of the offering of the said security had been filed with The Manitoba Securities Commission and receipts for such preliminary prospectus and prospectus had been obtained from the Director of The Manitoba Securities Commission, to wit: the trade of an investment contract to Georgia McLeod for consideration of \$17,263.02, contrary to Section 37(1) of The Securities Act, and did thereby commit an offence contrary to Section 136(1)(c) of The Securities Act.

6. On September 2, 2003 Judge Sandhu ordered that the passing of sentence be suspended for a period of 4 months and that Joseph be placed on probation which contained a number of conditions including inter alia:

- a) Keep the peace and be of good behaviour;

- b) Appear before the Court when required to do so by the Court;
- c) Notify your Probation Officer or the Court before you change your name or address and promptly tell your Probation Officer or the Court if you change your job or occupation;
- d) You must report to a Probation officer on or before within two working days. After you report the first time, you must continue to report when and how you are told to by your Probation Officer;
- e) Maintain employment with Combined Insurance Company of America, and report any change of employment to your Probation Officer;
- f) To reside at 2505 McDonald Avenue, Prince Albert, Saskatchewan, and not to move without permission of the Probation Officer or the Court;
- g) There will be an absolute curfew, 24 hours a day with the following exceptions
 - Monday to Friday, 7:00 AM to 10:00 PM while in the employment of Combined Insurance Company of America;
 - Saturdays, 12:00 PM to 2:00 PM
 - Sunday, 10:00 AM to 1:00 PM for the purposes of travelling to and from home and religious services;
 - for any medical emergency;
 - September 7th to 18th inclusive, with address to be changed to one provided to your Probation Officer
- h) You are to submit to personal and telephone curfew checks as requested by your Probation Officer or law enforcement officers.

B. ALLEGATIONS

1. Staff of the Commission allege that:

- (a) Joseph traded in securities without having been registered and without prospectus in contravention of sections 6 and 37 of the Act.

and that due to these allegations, Joseph 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.

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

DATED at Winnipeg, Manitoba this 10th day of March, 2004.

Director, Legal and Enforcement

TO: BARBARA CAROLINE JOSEPH