

THE SECURITIES ACT)
)
Sections 148, 19(5), and 148.3)

Order No. 6746

June 5, 2013

KEVIN WASH

WHEREAS:

(A) On November 15, 2012, the Ontario Securities Commission (“OSC”) issued an order against Kevin Wash (“OSC Order”);

(B) On March 7, 2013, The Manitoba Securities Commission (“Commission”) issued a Notice of Hearing (“Notice”) giving notice of its intention to hold a hearing to consider whether or not it was in the public interest to grant orders pursuant to *The Securities Act*, R.S.M. 1988 c. S50 as amended (“Act”) with respect to Kevin Wash (“WASH”);

(C) On May 29, 2013, this hearing matter came before a panel of the Commission and was adjourned to June 5, 2013 at which time the hearing resumed;

(D) Upon reviewing the documentary evidence and hearing the submissions of counsel for staff of the Commission, no one appearing for the respondent, and upon reviewing the Affidavit of Service, filed, and being satisfied as to service upon the respondent, the Commission is of the opinion that it is in the public interest to make this order.

IT IS ORDERED:

1. **THAT**, pursuant to section 148 of the Act, WASH cease trading in securities permanently.
2. **THAT**, pursuant to subsection 19(5) of the Act, subsection 19(1) of the Act, with respect to such of the trades referred to in that subsection, and subsection 19(2) of the Act, with respect to such of the securities referred to in that subsection, do not apply to WASH permanently.
3. **THAT**, pursuant to section 148.3 of the Act, WASH be prohibited permanently from becoming or acting as a director or officer of any issuer.
4. **THAT**, notwithstanding the provisions of the orders in paragraphs 1, 2, and 3 above, immediately following the Director of the Commission having received confirmation of WASH having fully satisfied the terms of the disgorgement order and administrative penalty order to the OSC as set out in the OSC Order, WASH is permitted to trade for his own account, solely through a registered dealer or, as

appropriate, a registered dealer in a foreign jurisdiction, which dealer must be given a copy of this order, in:

- (a) any "exchange-traded security" or "foreign exchange-traded security" within the meaning of National Instrument 21-101, provided that he does not own beneficially or exercise control or direction over more than 5 percent of the voting or equity securities of the issuer(s) of any such securities;
- (b) any security issued by a mutual fund that is a reporting issuer;
or
- (c) any shares in a "private company" as defined in subsection 1(1) of the Act;

provided that in respect of the trading referred to in clause (a) and (b) above, WASH provides staff of the MSC with the particulars of the accounts in which such trading is to occur, as soon as practicable before any trading in such accounts occurs, including the name of the registered dealer through which the trading will occur and the account numbers, and provided WASH instructs the registered dealer to provide copies of all trade confirmation notices with respect to trading in the accounts directly to staff of the MSC at the same time that such notices are provided to him.

BY ORDER OF THE COMMISSION



Director