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Now New Self-Regulatory Organization of Canada, a consolidation of IIROC and the MFDA

**IN THE MATTER OF  
THE MUTUAL FUND DEALER RULES<sup>i</sup>  
and**

**Andrew David Tachauer**

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**ORDER**

(ARISING FROM THE FIRST APPEARANCE ON FEBRUARY 2, 2023)

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**WHEREAS** on December 19, 2022, the Mutual Fund Dealers Association of Canada issued a Notice of Hearing pursuant to sections 20 and 24 of MFDA By-law No. 1 (now Mutual Fund Dealer Rules 7.3 and 7.4) in respect of a disciplinary proceeding commenced against Andrew David Tachauer (the “Respondent”);

**AND WHEREAS** on February 2, 2023 the first appearance in this hearing was held by videoconference before one public representative of a hearing committee acting on behalf of a hearing panel of the Ontario District Committee of the Corporation (the “Hearing Panel”), pursuant to Mutual Fund Dealer Rule 7.2.4(b), which permits one public representative to be designated to act on behalf of a Hearing Panel for the purpose of hearing and determining any procedural matter;

**AND WHEREAS** Counsel for Staff of the Corporation (“Staff”) and the Respondent’s Counsel attended the first appearance by videoconference to address scheduling and other procedural matters and upon hearing the submissions of the parties;

**IT IS HEREBY ORDERED THAT:**

1. In accordance with Rule 8.1 of the MFDA *Rules of Procedure*, the Respondent shall serve on Staff and file a Reply to the Notice of Hearing on or before February 24, 2023;
2. In accordance with Rule 10.1 of the MFDA *Rules of Procedure*, Staff shall provide documentary disclosure to the Respondent on or before March 24, 2023;
3. In accordance with Rule 10.2 of the MFDA *Rules of Procedure*, the Respondent shall provide documentary disclosure to Staff on or before April 28, 2023;
4. In accordance with Rule 11 of the MFDA *Rules of Procedure*, Staff and the Respondent shall provide each party with a witness list and a witness statement for each witness that the party intends to call at the hearing on the merits on or before June 2, 2023;
5. An interim appearance shall take place before the Hearing Panel electronically by videoconference on June 9, 2023 at 10:00 a.m. (Eastern), or as soon thereafter as the appearance can be held;
6. Subject to any further Order of the Hearing Panel, the hearing of this matter on its merits shall take place electronically by videoconference on June 21-23, 2023, commencing at 10:00 a.m. (Eastern) each day, or as soon thereafter as the matter can be heard; and
7. If at any time a non-party to this proceeding, with the exception of the bodies set out in Mutual Fund Dealer Rule 6.3 (formerly section 23 of MFDA By-law No. 1), requests production of or access to exhibits in this proceeding that contain personal information as defined by the MFDA Privacy Policy, then the Corporate Secretary's Office, Mutual Fund Dealer Division of the Corporation shall not provide to the non-party, copies of or access to the requested exhibits without first redacting from them any and all personal information, pursuant to Rules 1.8(2) and (5) of the MFDA *Rules of Procedure*.

**DATED** this 2<sup>nd</sup> day of February, 2023.

“Thomas J. Lockwood”  
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Thomas J. Lockwood, K.C.  
Chair

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<sup>i</sup> On January 1, 2023, the Investment Industry Regulatory Organization of Canada (“IIROC”) and the Mutual Fund Dealers Association of Canada (the “MFDA”) were consolidated into a single self-regulatory organization recognized under applicable securities legislation. The New Self-Regulatory Organization of Canada (referred to herein as the “Corporation”) adopted interim rules that incorporate the pre-amalgamation regulatory requirements contained in the rules and policies of IIROC and the by-law, rules and policies of the MFDA (the “Interim Rules”). The Interim Rules include (i) the Investment Dealer and Partially Consolidated Rules, (ii) the UMIR and (iii) the Mutual Fund Dealer Rules. These rules are largely based on the rules of IIROC and certain by-laws, rules and policies of the MFDA that were in force immediately prior to amalgamation. Where the rules of IIROC and the by-laws, rules and policies of the MFDA that were in force immediately prior to amalgamation have been incorporated into the Interim Rules, Enforcement Staff have referenced the relevant section of the Interim Rules. Pursuant to Mutual Fund Dealer Rule 1A, MFDA By-law No. 1 continues to be applicable to this proceeding and pursuant to Mutual Fund Dealer Rule 1A and s.14.6 of By-Law No.1 of the Corporation, contraventions of former MFDA regulatory requirements may be enforced by the Corporation.