

IN THE MATTER OF THE SECURITIES ACT,  
S.N.B. 2004, c. S-5.5,  
AND

IN THE MATTER OF

**BERRIE WHITE CAPITAL CORPORATION and  
MATTHEW WHITE**  
(Respondents)

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**ORDER**

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WHEREAS on 15 October 2008, Staff of the New Brunswick Securities Commission issued a Statement of Allegations in respect of the Respondents, Berrie White Capital Corporation and Matthew White;

AND WHEREAS the Respondents entered into a Settlement Agreement dated 8 January 2009 (Agreement) in which they agreed to a proposed settlement of this proceeding, subject to the approval of the Commission;

AND UPON REVIEWING the Agreement and the Agreed Statement of Facts filed in this matter;

AND WHEREAS the Commission finds that Matthew White failed to comply with New Brunswick securities law;

AND WHEREAS the Commission is of the opinion that it is in the public interest to make this Order.

**NOW THEREFORE IT IS HEREBY ORDERED THAT:**

1. Pursuant to section 191(1)(a) of the Securities Act, S.N.B. 2004, c. S-5.5 (*Act*), the Settlement Agreement entered into on 8 January 2009 with respect to the Respondents, is hereby approved.
2. Pursuant to section 184(1)(d) of the *Act*, any exemptions under New Brunswick securities law do not apply to Berrie White Capital Corporation for a period of 2 years;
3. Pursuant to section 184(1)(d) of the *Act*, any exemptions under New Brunswick securities law do not apply to Matthew White for a period of 4 years;
4. Pursuant to section 184(1)(i) of the *Act*, Matthew White is prohibited from becoming or acting as a director or officer of any issuer, registrant, or mutual fund manager for a period of 4 years;
5. Pursuant to section 186(1) of the *Act*, Matthew White shall pay an administrative penalty

for failing to comply with New Brunswick securities law in the amount of \$8,000.00 (eight thousand dollars); and

6. Pursuant to section 185(1) of the *Act*, Matthew White shall pay investigation costs in the amount of \$1,000.00 (one thousand dollars).

DATED at the City of Saint John this 12th day of January, 2009.

          "original signed by"            
Denise A. LeBlanc, Panel Chair

          "original signed by"            
Céline Trifts, Panel Member

          "original signed by"            
Kenneth Savage, Panel Member

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