

Citation : *New Brunswick (Financial and Consumer Services Commission) v. Pierre Emond and Armel Drapeau*, 2017 NBFCST 5

PROVINCE OF NEW-BRUNSWICK
FINANCIAL AND CONSUMER SERVICES TRIBUNAL
IN THE MATTER OF THE *SECURITIES ACT*, NB. 2004, c. S-5.5

Date: 2017-09-26
Docket: 2300-E1

BETWEEN:

Financial and Consumer Services Commission,

Applicant,

- and -

Pierre Emond and Armel Drapeau,

Respondent.

ORDER

WHEREAS:

1. A pre-hearing conference was held on September 26, 2017;
2. This case is complex and the Chair of the Tribunal is of the opinion that the hearing of this proceeding requires a full three-member panel to ensure a majority decision in the proceeding. Members must also have the necessary language skills to ensure the respondents' language rights;
3. The Chair of the Tribunal is unable to establish a full panel because of a conflict of interest of a Tribunal member and the Tribunal is awaiting the appointment of new members by the Lieutenant Governor in Council to fill this deficiency; and
4. The Chair of the Tribunal will remain unable to establish a hearing panel for any procedure or hearing in this proceeding until new members able to hear this matter in the French language are appointed to the Tribunal by the Lieutenant Governor in Council.

IT IS ORDERED THAT:

1. The proceeding shall be adjourned indefinitely (*sine die*) pending the appointment of new members to the Tribunal having the necessary language skills to be assigned to this matter.

DATED September 26, 2017.

Judith Keating, Q.C.

Judith Keating, Q.C.
Chair of the Tribunal

Gerry Legere

Gerry Legere,
Tribunal member