

Re Deeb

IN THE MATTER OF:

**Dealer Member Rule of the Investment Industry Regulatory
Organization of Canada (IIROC)**

and

Peter Michael Deeb

2012 IIROC 65

Investment Industry Regulatory Organization of Canada
Hearing Panel (Ontario District)

Hearing: September 24, 25, 26, 28, October 1, 5, 19, and November 12, 2012
Decision: November 13, 2012

Hearing Panel:

Frederick Webber (Chair), Selwyn Kossuth, Sandy Grant

Appearances:

Mr. Andrew Werbowski, Enforcement Counsel

Mr. Grant Sawiak, Joseph Groia and Kevin Richard, Respondents' Counsel

DECISION

¶ 1 **The Panel has decided that IIROC has been unsuccessful in establishing the allegations in Counts 1 and 3, and therefore dismisses these Counts against the Respondent.**

¶ 2 Count 1 alleged that on or about October 28 and 29, 2009, the Respondent commingled client and pro orders, allocated trades after the close of business when the price of securities was known and, in so doing: (a) profited at the expense of his clients and (b) failed to ensure client priority, thereby engaging in conduct unbecoming, contrary to IIROC Dealer Member Rule 29.1

¶ 3 Count 3 alleged that between February 1, 2009 and April 30, 2009 and again between December 2009 and May 2010, the Respondent engaged in the business practice commonly known as “free-riding” in that securities were purchased without sufficient cash in the relevant accounts and no attempt was made to properly settle the securities transactions, and thereby engaged in conduct unbecoming, contrary to IIROC Dealer Member Rule 29.1.

¶ 4 **The Panel has decided that IIROC has been successful in establishing the allegations in Counts 2 and 4, and therefore that the Respondent has engaged in the following conduct:**

¶ 5 Count 2: From about November 12, 2008 to December 11, 2009 the Respondent failed to keep and maintain at all times a proper set of books and records, contrary to IIROC Dealer Member Rule 17.2, Dealer Member Rule 200 and National Instrument 31-301 which thereby permitted him the Respondent to engage in the type of conduct described in Count 1.

¶ 6 Count 4: In or about July 2011 the Respondent refused to provide access to certain books and records maintained by Hampton Securities Limited despite a request by IIROC FinOps Staff and thereby violated IIROC Dealer Member Rule 19.6.

Dated this 13th day of November, 2012.

Fred Webber- Chairman

Selwyn Kossuth- Member

Sandy Grant- Member

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