



Mutual Fund Dealers Association of Canada
Association canadienne des courtiers de fonds mutuels

**IN THE MATTER OF A DISCIPLINARY HEARING
PURSUANT TO SECTIONS 20 AND 24 OF BY-LAW NO. 1 OF
THE MUTUAL FUND DEALERS ASSOCIATION OF CANADA**

Re: Mohammad Movassaghi and Kindle Briten Megan Blythe

ORDER

(ARISING FROM APPEARANCE ON AUGUST 30, 2019)

WHEREAS on March 21, 2019, the Mutual Fund Dealers Association of Canada (the “MFDA”) issued a Notice of Hearing pursuant to sections 20 and 24 of By-law No. 1 in respect of a disciplinary proceeding commenced against Mohammad Movassaghi (“Movassaghi”) and Kindle Briten Megan Blythe (“Blythe”) (together referred to as the “Respondents”);

AND WHEREAS in accordance with s. 19.13(b) of MFDA By-law No. 1, on May 28, 2019, the first appearance in this matter was held by teleconference before a public representative of the Pacific Regional Council of the MFDA (the “Chair”) on behalf of the Hearing Panel. At the first appearance, an order was made establishing a schedule for the future steps in the proceeding. In particular, the Chair ordered that pre-hearing motions in the proceeding could be heard on September 4, 2019. Moving parties were ordered to serve and file motion records by August 26, 2019 and responding parties (to motions) were ordered to serve and file responding records by August 30, 2019;

AND WHEREAS on August 21, 2019, Staff of the MFDA (“Staff”) served and filed a motion record requesting leave to amend the Notice of Hearing (the “Motion to Amend”);

AND WHEREAS the Respondents do not oppose the relief sought by Staff in the Motion to Amend;

AND WHEREAS on August 26, 2019, the Respondent Blythe served and filed a motion to strike allegations against Blythe from the Notice of Hearing, or in the alternative for further particulars (the “Blythe Motion”);

AND WHEREAS on August 28, 2019, Staff brought a motion: (a) to adjourn the hearing of the Blythe Motion from September 4, 2019 to a date in October 2019; (b) for an extension of time to file Staff’s Responding Record to the Blythe Motion; and (c) for an abridgement of the time required under the Rules of Procedure to bring this motion (the “Adjournment Motion”) and requested that the Adjournment Motion be heard by teleconference on August 30, 2019;

AND WHEREAS on August 29, 2019, the Respondent Blythe served and filed a Responding Record opposing Staff’s Adjournment Motion;

AND WHEREAS counsel for the Respondent Movassaghi attended the Adjournment Motion by teleconference and opposed the adjournment sought by Staff and expressed the intention to bring a motion to seek relief for the Respondent Movassaghi that is similar to the relief sought by the Respondent Blythe in the Blythe Motion;

AND WHEREAS Staff and counsel for the Respondents attended the Adjournment Motion by teleconference before the Chair of the Hearing Panel in accordance with s. 19.13(b) of MFDA By-law No. 1 and made oral submissions;

AND UPON READING the motion records and responding records of the parties and upon hearing the oral submissions of the parties, the Chair of the Hearing Panel is of the opinion that the relief sought by the Respondent Blythe could result in a final determination of the disciplinary proceeding against the Respondent Blythe and accordingly, pursuant to s. 19.13(b) of MFDA By-law No. 1 such a motion cannot be heard by the Chair acting on behalf of the Hearing Panel but instead must be heard by the full Hearing Panel;

IT IS HEREBY ORDERED THAT:

1. Pursuant to Rule 2.2(1)(a) of the MFDA Rules of Procedure the time for service and filing of the Adjournment Motion is abridged to permit the motion to be heard on August 30, 2019;
2. Subject to any further order in this proceeding:
 - a) if the Respondent Movassaghi wishes to bring a pre-hearing motion, he shall serve and file a motion record on or before September 13, 2019 at 4:00 p.m. (Pacific);
 - b) if Staff wishes to file a Responding Record to the Blythe Motion and/or to any motion brought by the Respondent Movassaghi, Staff shall serve and file its Responding Record on or before September 27, 2019 at 4:00 p.m. (Pacific);
 - c) the Respondents may serve and file Responding Records to their respective motions if they wish to do so on or before September 27, 2019 at 4:00 p.m. (Pacific);
 - d) the Blythe Motion and any motion brought by the Respondent Movassaghi shall be heard in person before a three-person Hearing Panel of the Pacific Regional Council in the hearing room at the British Columbia Securities Commission, 701 West Georgia Street, Suite 1200, Vancouver, British Columbia on October 10, 2019, commencing at 10:00 a.m. (Pacific), or as soon thereafter as the matter can be heard;
3. The relief sought in Staff's Motion to Amend the Notice of Hearing is granted.

DATED this 30th day of August, 2019.

"Ian H. Pitfield"

Ian H. Pitfield
Chair

DM 698712