



**Mutual Fund Dealers Association of Canada**

Association canadienne des courtiers de fonds mutuels  
121 King Street West, Suite 1000, Toronto, Ontario, M5H 3T9  
TEL: 416-361-6332 FAX: 416-943-1218 WEBSITE: www.mfda.ca

**File No. 200709**

**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: Keith Oswald Wong**

HEARING PANEL: The Hon. Edward Saunders, Q.C., Chair  
Cheryl Hamilton  
Melanie Cartier

HEARD: 19 June 2007

REPRESENTATION: H.C. Clement Wai for the MFDA  
The Respondent, in person

**DECISION**

This is a disciplinary hearing under the rules of the Mutual Fund Dealers Association of Canada (the "MFDA"). The Respondent Wong was charged with the following violations:

**Allegation:** Between November 2, 2005 and November 23, 2005, the Respondent, while an Approved Person of one Member, accessed the confidential client database of another Member, without the knowledge or approval of either Member and used the information obtained to solicit clients, contrary to MFDA Rule 2.1.1.

Prior to the commencement of the hearing, the MFDA and the Respondent executed an agreed statement of facts (the "Agreed Statement") in which the Respondent admitted the allegations and agreed that his conduct was contrary to MFDA Rule 2.1.1. In the Agreed Statement, the MFDA and the Respondent agreed on an appropriate penalty.

After reviewing the Agreed Statement and the other exhibits filed and hearing the oral submissions of counsel for the MFDA and of the Respondent, we accepted the allegations in the Agreed Statement and agree that they constituted misconduct contrary to MFDA Rule 2.1.1. We also agree that the proposed penalty is appropriate in the circumstances.

Accordingly, the Order will go as asked dated June 19, 2007. For the purpose of the Record, the terms of the Order are as follows:

1. The following penalty be imposed upon the Respondent:
  - (a) The Respondent is prohibited from acting in a compliance or supervisory capacity with a Member for a period of three (3) years from the date of this Order, pursuant to section 24.2.2(e) of MFDA By-law No. 1;
  - (b) The Respondent shall write the appropriate proficiency examination prior to becoming registered in any compliance or supervisory capacity with a member, pursuant to section 24.1.1(f) of MFDA By-law No. 1;
  - (c) The Respondent shall complete an ethics course, acceptable to Staff of the MFDA within one (1) year from the date of this Order, pursuant to section 24.1.1(f) of MFDA By-law No. 1;
  - (d) The Respondent shall pay a fine in the amount of \$7,000, pursuant to section 24.1.1(b) of MFDA By-law No. 1;

- (e) The Respondent shall pay costs in the amount of \$1,000 attributable to the investigation and settlement of this matter, pursuant to section 24.2 of MFDA By-law No. 1.

**DATED** at Toronto this 20th day of June, 2007.

Per: "Edward Saunders"  
The Hon. Edward Saunders, Q.C., Chair

Per: "Cheryl Hamilton"  
Cheryl Hamilton, Panel Member

Per: "Melanie Cartier"  
Melanie Cartier, Panel Member

Doc #113522