



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: Everest Nicholas Louis D’Souza

ORDER

(ARISING FROM THE HEARING ON THE MERITS ON AUGUST 30, 2022)

WHEREAS on December 16, 2021, 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 Everest Nicholas Louis D’Souza (the “Respondent”) which shall take place before a hearing panel of the Central Regional Council (the “Hearing Panel”);

AND WHEREAS in accordance with s. 19.13 of MFDA By-Law No. 1, the first appearance in this hearing was held by teleconference before a public representative of the Central Regional Council of the MFDA (the “Chair of the Hearing Panel”) on February 3, 2022, at which time the Chair of the Hearing Panel set a schedule for the steps in this proceeding;

AND WHEREAS a second appearance was held before the Chair of the Hearing Panel on April 26, 2022, following which an amended schedule was set for the steps in this proceedings, including setting August 30, 2022 for the Hearing on the Merits;

AND WHEREAS two further appearances were held before the Chair of the Hearing Panel on June 10, 2022 and July 15, 2022;

AND WHEREAS Staff and counsel for the Respondent appeared before the Hearing Panel on August 30, 2022;

AND WHEREAS counsel for the Respondent requested that the Hearing on the Merits be adjourned;

AND WHEREAS Staff consented to the Respondent's request;

AND WHEREAS Staff and counsel for the Respondent advised the Hearing Panel that they had reached an agreement on the facts and filed an Agreed Statement of Facts;

AND WHEREAS counsel for the Respondent advised the Hearing Panel that he needs more time to gather evidence which the Respondent wishes to rely upon with respect to penalty at the Hearing on the Merits;

IT IS HEREBY ORDERED THAT:

1. Subject to any further order of the Hearing Panel, the hearing of this matter on its merits shall take place by videoconference on September 28, 2022, commencing at 10:00 a.m. (Eastern), or as soon thereafter as the matter can be heard.

DATED this 30th day of August, 2022.

"Emily Cole"

Emily Cole
Chair

"Cas Litwin"

Cas Litwin
Industry Representative

"Craig Woolford"

Craig Woolford
Industry Representative