



Now New Self-Regulatory Organization of Canada, a consolidation of IIROC and the MFDA

IN THE MATTER OF
THE MUTUAL FUND DEALER RULESⁱ
and
Jennifer Beh

ORDER

(ARISING FROM THE FIRST APPEARANCE ON MARCH 24, 2023)

WHEREAS on February 1, 2023, the New Self-Regulatory Organization of Canada (the “Corporation”) issued a Notice of Hearing pursuant to Mutual Fund Dealer Rules 7.3 and 7.4 in respect of a disciplinary proceeding commenced against Jennifer Beh (the “Respondent”);

AND WHEREAS the Notice of Hearing was personally served on the Respondent on February 21, 2023;

AND WHEREAS on March 6, 2023, the Notice of Hearing was published on the MFDA website;

AND WHEREAS on March 24, 2023, the first appearance was held by videoconference before one public representative of a hearing committee acting on behalf of a hearing panel of the Pacific District Committee of the Corporation (the “Hearing Panel”), pursuant to Mutual Fund Dealer Rule 7.2.4(b), which permits one public representative to be designated to act on behalf of a Hearing Panel for the purpose of hearing and determining any procedural matter;

AND WHEREAS the Respondent did not serve and file a Reply to the Notice of Hearing in accordance with Rule 8.1(1) of the Mutual Fund Dealer *Rules of Procedure* (the “ROP”) and

did not attend the first appearance on March 24, 2023 or send someone to appear on her behalf, despite being properly served with the Notice of Hearing

AND WHEREAS pursuant to Rules 7.3(1)(a) and 8.4(1)(d) of the ROP, if a Respondent fails to attend the hearing on the date and at the time and location specified in the Notice of Hearing and if the Respondent fails to serve and file a Reply to the Notice of Hearing in accordance with Rules 8.1 and 8.2 of the ROP, the Hearing Panel may proceed with the hearing in the absence of the Respondent;

AND WHEREAS Counsel for Staff attended the first appearance by videoconference to address scheduling and other procedural matters;

AND UPON READING the affidavit of service of Larry Galvin, a process server with Dye & Durham Corporation who personally served the Notice of Hearing on the Respondent and upon finding that the Respondent was properly served with the Notice of Hearing in accordance with Rule 4.2(1)(a) of the ROP, and upon hearing the submissions of Counsel for Staff;

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 August 11, 2023, commencing at 10:00 a.m. (Pacific), or as soon thereafter as the matter can be heard;
2. Staff shall send notice of the date and time of the hearing of the matter on its merits, provide the videoconference link to the hearing of the matter on its merits, and a copy of this order to the Respondent by personal service, and file an Affidavit of Service confirming that such notice was provided to the Respondent;
3. Unless the Respondent serves and files a Reply in accordance with Rule 8 of the ROP and contacts counsel for Staff to express an intention to participate in the hearing of this matter on its merits, the hearing of the matter on the merits can proceed on August 11, 2023 without any further notice to the Respondent beyond what has been required in paragraph 2 of this Order; and
4. If at any time a non-party to this proceeding, with the exception of the bodies set out in Mutual Fund Dealer Rule 6.3, requests production of or access to exhibits in this proceeding that contain personal information as defined by the Corporation's Privacy Policy, then the Corporate

Secretary's Office, Mutual Fund Dealer Division of the Corporation shall not provide to the non-party, copies of or access to the requested exhibits without first redacting from them any and all personal information, pursuant to Rules 1.8(2) and (5) of the ROP.

DATED this 24th day of March, 2023.

“Nils Preshaw”

Nils Preshaw

Chair

DM 904641

ⁱ On January 1, 2023, the Investment Industry Regulatory Organization of Canada (“IIROC”) and the Mutual Fund Dealers Association of Canada (the “MFDA”) were consolidated into a single self-regulatory organization recognized under applicable securities legislation. The New Self-Regulatory Organization of Canada (referred to herein as the “Corporation”) adopted interim rules that incorporate the pre-amalgamation regulatory requirements contained in the rules and policies of IIROC and the by-law, rules and policies of the MFDA (the “Interim Rules”). The Interim Rules include (i) the Investment Dealer and Partially Consolidated Rules, (ii) the UMIR and (iii) the Mutual Fund Dealer Rules. These rules are largely based on the rules of IIROC and certain by-laws, rules and policies of the MFDA that were in force immediately prior to amalgamation. Where the rules of IIROC and the by-laws, rules and policies of the MFDA that were in force immediately prior to amalgamation have been incorporated into the Interim Rules, Enforcement Staff have referenced the relevant section of the Interim Rules. Pursuant to Mutual Fund Dealer Rule 1A, MFDA By-law No. 1 continues to be applicable to this proceeding and pursuant to Mutual Fund Dealer Rule 1A and s.14.6 of By-Law No.1 of the Corporation, contraventions of former MFDA regulatory requirements may be enforced by the Corporation.