



---

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

**IN THE MATTER OF  
THE MUTUAL FUND DEALER RULES<sup>1</sup>**

**and**

**Brent Michael Polischuk**

---

**ORDER**

(ARISING FROM THE INTERIM APPEARANCE ON JANUARY 30, 2023)

---

**WHEREAS** on April 7, 2022, the Mutual Fund Dealers Association of Canada (the “MFDA”) issued a Notice of Hearing pursuant to sections 20 and 24 of MFDA By-law No. 1 (now Mutual Fund Dealer Rules 7.3 and 7.4) in respect of a disciplinary proceeding commenced against Brent Michael Polischuk (the “Respondent”);

**AND WHEREAS** on July 12, 2022, in accordance with s. 19.13(b) of MFDA By-law No. 1 [now Mutual Fund Dealer Rule 7.2.4(b)] the first appearance was held electronically by videoconference before one public representative of the Pacific Regional Council of the MFDA acting on behalf of a Hearing Panel (the “Hearing Panel Chair”) and the hearing of this matter on its merits was scheduled to take place by videoconference on March 7-8, 2023;

**AND WHEREAS** on January 1, 2023, the MFDA consolidated with the Investment Industry Regulatory Organization of Canada (“IIROC”) to form the New Self-Regulatory Organization of Canada (the “Corporation”);

**AND WHEREAS** on January 30, 2023 an interim appearance took place before the Hearing Panel Chair to address scheduling and other procedural matters; and

**AND UPON HEARING** the submissions of counsel for Staff of the Corporation (“Staff”) and counsel for the Respondent;

**IT IS HEREBY ORDERED THAT:**

1. In accordance with Rule 8.1 of the MFDA *Rules of Procedure*, the Respondent shall serve on Staff and file a Reply to the Notice of Hearing on or before February 3, 2023;
2. In accordance with Rule 10.1 and Rule 11 of the MFDA *Rules of Procedure*, Staff shall provide documentary disclosure, a witness list, and a witness statement for each witness that they intend to call at the hearing on the merits to the Respondent on or before February 8, 2023;
3. In accordance with Rule 10.2 and Rule 11 of the MFDA *Rules of Procedure*, the Respondent shall provide Staff with documentary disclosure, a witness list, and a witness statement for each witness that they intend to call at the hearing on the merits on or before Friday, February 17, 2023
4. An interim appearance shall take place before the Hearing Panel Chair by videoconference on February 24, 2023 at 10:00 a.m. (Pacific), or as soon thereafter as the appearance can be held;
5. Subject to any further Order of the Hearing Panel or the Hearing Panel Chair, the hearing of this matter on its merits shall take place by videoconference on March 7 and 8, 2023, commencing each day at 10:00 a.m. (Pacific), or as soon thereafter as the matter can be heard; and
6. 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 (formerly section 23 of MFDA By-law No. 1), requests production of or access to exhibits in this proceeding that contain personal information as defined by the MFDA 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 MFDA *Rules of Procedure*.

**DATED** this 30<sup>th</sup> day of January, 2023.

“Michael Carroll”

---

Michael Carroll, K.C.

Chair

---

<sup>i</sup> 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 that is temporarily called the New Self-Regulatory Organization of Canada (referred to herein as the “Corporation”) and is recognized under applicable securities legislation. 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. 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. Pursuant to Mutual Fund Dealer Rule 1A, MFDA By-Law No. 1 continues to be applicable to this proceeding.