

# ALBERTA SECURITIES COMMISSION

## INTERIM ORDER: PARTIAL REVOCATION

Citation: Re Saint Jean Carbon Inc., 2020 ABASC 190

Date: 20201210

**Paul Cooper, Barry Allan Pearson, David Edward Da Rin, David Madill,  
Dick van Wyck, Donald George MacIntyre, Donald George Snyder,  
Paul Ogilvie, William Elmer Pfaffenberger, and others**

### Background

1. On March 21, 2017, the Alberta Securities Commission (the **ASC**) issued an order (the **Interim Order**, cited as *Re Saint Jean Carbon Inc.*, 2017 ABASC 49) under sections 33(1) and 198(1) of the *Securities Act* (Alberta) (the **Act**) that all trading in securities of Saint Jean Carbon Inc. (the **Company**) by Paul Cooper, Barry Allan Pearson, David Edward Da Rin, David Madill, Dick van Wyck, Donald George MacIntyre, Donald George Snyder, Paul Ogilvie (**Ogilvie**), William Elmer Pfaffenberger and all other of the Company's "reporting insiders" (as that term is defined in section 1.1 of National Instrument 55-104 *Insider Reporting Requirements and Exemptions*) (collectively, the **Respondents**) must cease.
2. On April 4, 2017, the ASC issued a further order (cited as *Re Saint Jean Carbon Inc.*, 2017 ABASC 59) extending the Interim Order until the final determination or conclusion of any proceeding initiated pursuant to the Act, including a trial in respect of an offence, arising from the investigation (the **Investigation**) by staff (**Staff**) of the ASC into whether the Respondents contravened Alberta securities laws and acted contrary to the public interest.
3. The ASC has received and considered an application by Staff for revocation of the Interim Order against the Respondents other than Ogilvie (the **Released Parties**), on the grounds that: (a) Staff and the Company entered into a Settlement Agreement and Undertaking dated December 1, 2020 and it is no longer necessary to prohibit the Released Parties from trading in securities of the Company; (b) Staff's Investigation of the Released Parties has concluded and no enforcement action was taken; and (c) it is not prejudicial to the public interest to revoke the Interim Order against the Released Parties.

### Order

4. The ASC, considering that it would not be prejudicial to the public interest, orders under section 214(1) of the Act that the Interim Order is revoked only insofar as it applies to the Released Parties.

December 10, 2020

### For the Commission:

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"original signed by"

Tom Cotter

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"original signed by"

Kari Horn