

## APPLICATION FOR HEARING AND REVIEW

In the matter of the Securities Act, RSO 1990 C.S.5

And

John Richard Wolfenden

And

Staff of MFDA and Paul Blasiak counsel for MFDA

And

In the matter of the reasons and decisions of the Hearing Panel dated January 9,2017

### A. Orders sought

The applicant John Wolfenden requests that the Ontario Securities Commission make the following orders:

1. That the Hearing be reopened to allow the applicant John Wolfenden to present evidence previously ruled inadmissible.
2. That the witness be recalled so the applicant can question the witness in light of the evidence ruled inadmissible.
3. That the party or parties who prepared the original Notice of Hearing be called as witnesses to provide clarification of the particulars.

### B. Grounds

1. The MFDA counsel deliberately mislead the applicant Wolfenden as to the evidence that would be presented by the MFDA at the Hearing.
2. The MFDA counsel knowing the applicant Wolfenden was not represented by counsel and had no knowledge of the proceedings deliberately failed to disclose information to the applicant.
3. The MFDA counsel made misleading and defamatory statements in the Notice of Hearing to prejudice the public and the panel.

### C. Documents and evidence

1. The MFDA staff provided Wolfenden with two binders titled Evidence Binders containing over 1000 pages in an attempt to hamper Wolfenden's ability to prepare for the Hearing.
2. Paul Blasiak initially refused an extension of time to Wolfenden to reply to the Notice of Hearing citing MFDA Rules and Policy.
3. In the Notice of Hearing made a number of serious accusations that were clear misrepresentation of the facts.
4. The investigating officer failed in her duty to properly and fully investigate all aspects of the case and failed to fully question the clients.

D. The documentary evidence to be used.

1. The transcript of the Hearing dated September 27, 2016
2. The Hearing Panels decision dated January 9, 2017
3. All documents originally presented by the MFDA as evidence in the form of evidence binders ( 2 binders of approximately 1000 pages )

To Paul Blasiak MFDA counsel

And to Ontario Securities Commission

20 Queen St. W.

Toronto

John Wolfenden