



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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Toronto ON M5H 3S8

**IN THE MATTER OF THE *SECURITIES ACT*,
R.S.O. 1990, c. S.5, AS AMENDED**

- AND -

**IN THE MATTER OF
PROSPOREX INVESTMENTS INC., PROSPOREX FOREX SPV TRUST,
ANTHONY DIAMOND, DIAMOND + DIAMOND, and
DIAMOND + DIAMOND MERCHANT BANKING BANK**

**TEMPORARY ORDER
(Subsections 127(1) and (8))**

WHEREAS on July 13, 2009 the Commission made a temporary order, pursuant to subsections 127(1) and (5) of the Act, that all trading in securities of Prosporex Investment Club Inc., Prosporex Investments Inc., Prosporex Ltd., Prosporex Inc. and Prosporex FOREX SPV Trust (collectively as “Prosporex”) and any other purported “offshore trust” associated therewith by these respondents shall cease and that any exemptions contained in Ontario securities law do not apply to the respondents (“the July 13 Temporary Order”);

AND WHEREAS, pursuant to subsection 127(5) of the Act, the Temporary Order was to expire on July 28, 2009 unless extended by the Commission;

AND WHEREAS, the Commission held a hearing on July 28, 2009 to consider whether to extend the Temporary Order;

AND WHEREAS, Staff of the Commission and counsel for the respondents, Anthony Diamond, Diamond + Diamond, and Diamond + Diamond Merchant Banking Bank (collectively as “Diamond + Diamond Merchant Banking Group,” or “DDMBG”), were present at that hearing;

AND WHEREAS, no one attended that hearing on behalf of the other respondents, Prosporex Investments Inc. and Prosporex Forex SPV Trust on that day;

AND WHEREAS, Staff filed an affidavit by Allister Field sworn on July 23, 2009 in support of their request for an extension of the Temporary Order;

AND WHEREAS, on July 28, 2009 the Commission made an Order continuing the July 13, 2009 Temporary Order to August 18, 2009 and adjourning the hearing until August 18, 2009 at 3:30 p.m.;

AND WHEREAS, a hearing was held on August 18, 2009 at 3:30 p.m.;

AND WHEREAS, on August 18, 2009, Staff of the Commission appeared, an individual who is a principal and director of Prosporex Investment Inc., appeared on behalf of Prosporex Investment Inc., and none of the other respondents appeared;

AND WHEREAS, at the hearing on August 18, 2009, materials were filed by Staff and other materials were filed on behalf of DDMBG;

AND WHEREAS, the Panel also considered confidential materials filed *in camera* by Staff;

AND WHEREAS, a hearing was held on September 21, 2009 at 11:00 a.m.;

AND WHEREAS, on September 21, 2009, Staff of the Commission appeared, an individual who is a principal and director of Prosporex Investment Inc., appeared on behalf of Prosporex Investment Inc., and none of the other respondents appeared;

AND WHEREAS, at the hearing on September 21, 2009, materials were filed by Staff and other materials were filed on behalf of DDMBG;

AND WHEREAS, in those materials, Anthony Diamond, on behalf of himself and DDMBG, proposed certain undertakings,

AND WHEREAS, the Commission is of the opinion that it is in the public interest to make this order and that the time required to conclude a hearing could be prejudicial to the public interest;

IT IS ORDERED THAT,

1. The July 13 Temporary Order is extended to November 24, 2009, with the exception that if an undertaking from DDMBG to the Ontario Securities Commission in the following form is received on or before November 24, 2009, clause (b) of the July 13 Temporary Order would no longer apply to DDMBG:
 - i) DDMBG undertakes not to complete the structured financial transaction with Prosporex until the Ontario Securities Commission gives its approval to it, or a court of law rules otherwise, and;
 - ii) DDMBG undertakes not to contact clients of Prosporex.
2. A hearing to consider whether to further extend the July 13 Temporary Order shall be held on November 24, 2009 at 2:30 p.m.

DATED at Toronto this 21st day of September, 2009.

“James Carnwath”

James D. Carnwath

“Carol S. Perry”

Carol S. Perry