



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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

- AND -

**IN THE MATTER OF
BLACKWOOD & ROSE INC., STEVEN ZETCHUS and JUSTIN KRELLER (also known
as JUSTIN KAY)**

**TEMPORARY ORDER
Sections 127(7) and 127(8)**

WHEREAS on January 29, 2013, the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing pursuant to sections 37, 127 and 127.1 of the *Securities Act*, R.S.O. 1990 c. S.5 as amended (the “Act”) accompanied by a Statement of Allegations of Staff of the Commission dated January 29, 2013 with respect to Blackwood & Rose Inc. (“Blackwood”), Steven Zetchus (“Zetchus”) and Justin Kreller (“Kreller”) (collectively, the “Respondents”);

AND WHEREAS the Notice of Hearing stated that a hearing would be held at the temporary offices of the Commission on February 19, 2013;

AND WHEREAS on February 19, 2013, Staff attended the hearing and no one appeared on behalf of the Respondents;

AND WHEREAS Staff filed the Affidavit of Peaches Barnaby sworn February 14, 2013 demonstrating service of the Notice of Hearing and Statement of Allegations on the Respondents;

AND WHEREAS the Commission previously made a temporary order in connection with this proceeding on December 18, 2012 (the “Temporary Order”);

AND WHEREAS on December 31, 2012, the Commission extended the Temporary Order to March 7, 2013 and adjourned the hearing to consider a further extension to March 6, 2013 at 10:00 a.m.;

AND WHEREAS on February 19, 2013, Staff requested that a pre-hearing conference be scheduled in this matter and that the Temporary Order be extended to the day following the pre-hearing conference to permit the parties to make submissions on a further extension of the Temporary Order at the pre-hearing conference;

AND WHEREAS on February 19, 2013, the Commission ordered that:

- (i) the Temporary Order be extended to April 11, 2013 or until further order of the Commission;
- (ii) the hearing date scheduled for March 6, 2013 to consider a further extension of the Temporary Order be vacated; and
- (iii) the hearing be adjourned to April 10, 2013 at 10:00 a.m. for the purpose of conducting a prehearing conference and to consider a further extension of the Temporary Order;

AND WHEREAS on April 10, 2013, Staff attended the hearing and no one appeared on behalf of the Respondents;

AND WHEREAS Staff filed the Affidavit of Peaches Barnaby sworn April 9, 2013 demonstrating, *inter alia*, service of the Commission's order dated February 19, 2013 on the Respondents;

AND WHEREAS on April 10, 2013, a confidential pre-hearing conference was held;

AND WHEREAS following the confidential pre-hearing conference, the hearing resumed and Staff requested (i) that the hearing be adjourned to a status hearing in May 2013; and (ii) that the Temporary Order be extended to the day following the status hearing to permit the parties to make submissions on a further extension of the Temporary Order at the status hearing;

AND WHEREAS on April 10, 2013, the Commission ordered that the Temporary Order be extended to May 21, 2013 and that the hearing be adjourned to May 17, 2013 at 10:00 a.m.

for the purpose of conducting a status hearing and to consider a further extension of the Temporary Order;

AND WHEREAS on May 17, 2013, Staff attended the hearing and no one appeared on behalf of the Respondents;

AND WHEREAS Staff filed the Affidavit of Peaches Barnaby sworn May 16, 2013 demonstrating service of the Commission's order dated April 10, 2013 on the Respondents;

AND WHEREAS Staff requested that the status hearing be converted into a confidential pre-hearing conference;

AND WHEREAS on May 17, 2013, a confidential pre-hearing conference was held and Staff made submissions;

AND WHEREAS following the confidential pre-hearing conference, the hearing resumed and Staff requested (i) that the hearing be adjourned to a further confidential pre-hearing conference in June 2013; and (ii) that the Temporary Order be extended to a date following the pre-hearing conference to permit the parties to make submissions on a further extension of the Temporary Order at the pre-hearing conference;

AND WHEREAS the Commission is of the opinion that it is in the public interest to make this Order;

IT IS HEREBY ORDERED that:

- (i) the Temporary Order is extended to June 20, 2013 or until further order of the Commission; and
- (ii) the hearing is adjourned to June 18, 2013 at 3:30 p.m., or such other date or time as provided by the Office of the Secretary and agreed to by the parties, for the purpose of conducting a confidential pre-hearing conference and to consider a further extension of the Temporary Order.

DATED at Toronto this 17th day of May, 2013.

“Edward P. Kerwin”

Edward P. Kerwin