

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

- AND -

**IN THE MATTER OF
FRANCIS JASON BILLER**

ORDER

(Section 127)

WHEREAS on April 19, 2005 Staff of the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing and a Statement of Allegations in this matter;

AND WHEREAS on April 29, 2005 the Commission made a Temporary Cease Trade Order pursuant to section 127 of the *Securities Act*, R.S.O. 1990, c.S.5 as amended (the “Act”);

AND WHEREAS on September 26, 2005 Staff issued an Amended Notice of Hearing and an Amended Statement of Allegations;

UPON HEARING SUBMISSIONS from counsel for Staff of the Commission and the Agent for Francis Jason Biller (“Biller”) at a hearing held on September 29, 2005;

AND AS the Commission is of the opinion that it is in the public interest to make this order;

AND FOR THE REASONS to be issued shortly;

IT IS HEREBY ORDERED that:

1. pursuant to s. 127 (1), clause 2 of the Act, Francis Jason Biller cease trading in securities permanently provided that:
 - (a) Biller may trade in securities beneficially owned directly by him for his own account or for the account of his registered retirement savings plan or registered income fund (as defined in the *Income Tax Act* (Canada), and
 - (b) for all personal trading Biller must carry out permitted trading through accounts opened in his name only and must close any accounts in which he has any beneficial ownership or interest that were not opened in his name only;

2. pursuant to s. 127 (1), clause 3 of the Act, any exemptions contained in Ontario securities law do not apply to Francis Jason Biller permanently, except for those exemptions necessary to enable Biller to trade in securities as permitted by paragraph 1 of this Order.
3. pursuant to s. 127 (1), clause 7 of the Act, that Francis Jason Biller be required to resign all positions that he holds as a director or officer of an issuer;
4. pursuant to s. 127(1), clause 8 of the Act, that Francis Jason Biller be permanently prohibited from becoming or acting as a director or officer of a registrant;
5. pursuant to s. 127(1), clause 8 of the Act, that Francis Jason Biller be prohibited from becoming or acting as a director or officer of an issuer other than a registrant for a period of 10 years;
6. There will be no order as to costs.

DATED at Toronto this 12th of October, 2005.

“Robert L. Shirriff”

Robert L. Shirriff

“Robert W. Davis”

Robert W. Davis

“Carol S. Perry”

Carol S. Perry