



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

P.O. Box 55, 19th Floor
20 Queen Street West
Toronto ON M5H 3S8

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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 ABEL DA SILVA

NOTICE OF HEARING

TAKE NOTICE THAT the Ontario Securities Commission (the "Commission") will hold a hearing pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the "Act") at the offices of the Commission, 20 Queen Street West, 17th Floor, Large Hearing Room, commencing on November 27, 2008 at 3 p.m., or as soon thereafter as the hearing can be held:

AND TAKE NOTICE the purpose of the hearing is to consider whether it is in the public interest for the Commission to make an order that:

- (a) pursuant to clause 2 of subsection 127(1), trading in any securities by Abel Da Silva (the "Respondent") cease permanently or for such other period as specified by the Commission;
- (b) pursuant to clause 2.1 of subsection 127(1), acquisition of any securities by the Respondent is prohibited, permanently or for the period specified by the Commission;

- (c) pursuant to clause 3 of subsection 127(1), any exemptions contained in Ontario securities law do not apply to the Respondent, permanently or for such other period as specified by the Commission;
- (d) pursuant to clause 6 of subsection 127(1), the Respondent be reprimanded;
- (e) pursuant to clause 8 of subsection 127(1), the Respondent be prohibited from becoming or acting as a director or officer of any issuer, permanently or for such other period as specified by the Commission;
- (f) pursuant to clause 8.2 of subsection 127(1), the Respondent is prohibited from becoming or acting as a director or officer of a registrant, permanently or for such other period as specified by the Commission;
- (g) pursuant to clause 8.4 of subsection 127(1), the Respondent is prohibited from becoming or acting as a director or officer of an investment fund manager, permanently or for such other period as specified by the Commission;
- (h) pursuant to clause 8.5 of subsection 127(1), the Respondent is prohibited from becoming or acting as a registrant, as an investment fund manager or as a promoter, permanently or for such other period as specified by the Commission;
- (i) pursuant to clause 9 of subsection 127(1), the Respondent pay, to the Commission, an administrative penalty of not more than \$1 million for each failure to comply with Ontario securities law;
- (j) pursuant to clause 10 of subsection 127(1), the Respondent disgorge to the Commission any amounts obtained as a result of non-compliance with securities law;
- (k) pursuant to section 127.1, the Respondent pay the costs of the investigation and the costs of or related to the hearing incurred by or on behalf of the Commission; and,
- (l) such other order as the Commission may consider appropriate.

BY REASON OF the allegations set out in the Statement of Allegations of Staff dated October 20, 2008, and such additional allegations as counsel may advise and the Commission may permit;

AND FURTHER TAKE NOTICE that any party to the proceeding may be represented by counsel if that party attends or submits evidence at the hearing.

AND FURTHER TAKE NOTICE that if the Respondent fails to attend, the hearing may proceed in the absence of the Respondent and the Respondent is not entitled to any further notice of the proceeding.

DATED at Toronto this 21st day of October, 2008

“John Stevenson”

John Stevenson

TO: Abel Da Silva