



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 -**

**LEHMAN BROTHERS & ASSOCIATES CORP., GREG MARKS, KENT EMERSON  
LOUNDS AND GREGORY WILLIAM HIGGINS**

**ORDER  
(Section 127 of the *Securities Act*)**

**WHEREAS** on September 3, 2010, 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 dated September 3, 2010, issued by Staff of the Commission ("Staff") with respect to Lehman Brothers & Associates Corp. ("Lehman Corp."), Greg Marks ("Marks"), Kent Emerson Lounds ("Lounds") and Gregory William Higgins ("Higgins"), collectively the "Respondents";

**AND WHEREAS** the Notice of Hearing stated that a hearing would be held at the offices of the Commission on September 8, 2010;

**AND WHEREAS** on September 8, 2010 Staff confirmed that the Commission had received the affidavit of Charlene Rochman sworn September 7, 2010 which indicated that service of the Notice of Hearing and Statement of Allegations was attempted on Lounds and Higgins personally, electronically, through their counsel or at their last known address and that Staff were unable to effect proper service on Marks and Lehman Corp. because Staff have been unable to determine a valid address for those respondents;

**AND WHEREAS** on September 8, 2010, Staff attended the hearing and no one appeared on behalf of the Respondents;

**AND WHEREAS** on September 8, 2010, Staff requested that the hearing be adjourned and a prehearing scheduled;

**AND WHEREAS** on September 8, 2010, Staff advised the Commission that counsel for Higgins consented to the adjournment;

**AND WHEREAS** on September 8, 2010, the hearing was adjourned to October 21, 2010 at 12:00 p.m. for a pre-hearing conference;

**AND WHEREAS** on October 21, 2010, Staff appeared before the Commission for a pre-hearing conference and no one attended on behalf of any of the Respondents;

**AND WHEREAS** on October 21, 2010, Staff satisfied the Commission that appropriate steps were taken to serve Lounds and Higgins with notice of the pre-hearing conference and Staff's pre-hearing conference submissions and that Staff continue to be unable to effect proper service on Marks and Lehman Corp. because Staff have been unable to determine a valid address for those respondents;

**AND WHEREAS** Staff informed the Commission that counsel for Higgins contacted Staff to indicate that he could not attend the hearing and that Staff had not heard from the other Respondents;

**AND WHEREAS** Staff requested that the Commission set dates for the hearing on the merits;

**IT IS ORDERED THAT** the hearing on the merits is to commence on June 6, 2011 at 10:00 a.m. at the offices of the Commission, 20 Queen Street West, 17<sup>th</sup> Floor, Toronto, and shall continue on June 7 and 8, 2011, or such further or other dates as may be agreed to by the parties and fixed by the Office of the Secretary;

**AND IT IS FURTHER ORDERED THAT** the parties attend before the Commission on April 5, 2011 at 2:30 p.m. for the purpose of having a status hearing, at the offices of the Commission, 20 Queen Street West, 17<sup>th</sup> Floor, Toronto.

Dated at Toronto this 21<sup>st</sup> day of October, 2010

*James D. Carnwath*

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James D. Carnwath