



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 HEIR HOME EQUITY INVESTMENT REWARDS INC.; FFI  
FIRST FRUIT INVESTMENTS INC.; WEALTH BUILDING MORTGAGES INC.;  
ARCHIBALD ROBERTSON; ERIC DESCHAMPS; CANYON ACQUISITIONS, LLC;  
CANYON ACQUISITIONS INTERNATIONAL, LLC; BRENT BORLAND; WAYNE D.  
ROBBINS; MARCO CARUSO; PLACENCIA ESTATES DEVELOPMENT, LTD.;  
COPAL RESORT DEVELOPMENT GROUP, LLC; RENDEZVOUS ISLAND, LTD.;  
THE PLACENCIA MARINA, LTD.; AND THE PLACENCIA HOTEL AND  
RESIDENCES LTD.**

**ORDER  
(Sections 127(1) and 127.1)**

**WHEREAS** on March 29, 2011, the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing pursuant to sections 127 and 127.1 of the Securities Act, R.S.O. 1990, c. S.5, as amended in connection with a Statement of Allegations filed by Staff of the Commission (“Staff”) on March 29, 2011 in respect of HEIR Home Equity Investment Rewards Inc., FFI First Fruit Investments Inc., Wealth Building Mortgages Inc., Archibald Robertson, Eric Deschamps (collectively, the “HEIR Respondents”) and Canyon Acquisitions, LLC, Canyon Acquisitions International, LLC, Brent Borland, Wayne D. Robbins, Marco Caruso, Placencia Estates Development, Ltd., Copal Resort Development Group, LLC, Rendezvous Island, Ltd., The Placencia Marina, Ltd. and The Placencia Hotel and Residences Ltd. (collectively, the “Canyon Respondents”);

**AND WHEREAS** the HEIR Respondents and the Canyon Respondents were served with the Notice of Hearing and Statement of Allegations on March 29 and 30, 2011 and April 5, 2011;

**AND WHEREAS** counsel for the Canyon Respondents wished to attend the hearing but was not available on April 27, 2011;

**AND WHEREAS** on consent of all the parties, on April 20, 2011, the Commission ordered that the hearing scheduled to commence on April 27, 2011 be rescheduled to commence on May 17, 2011 at 11:00 a.m. or as soon thereafter as the hearing could be held;

**AND WHEREAS** on May 17, 2011, a first appearance on this matter was held before the Commission, at which Staff attended, counsel from Borden Ladner Gervais LLP attended on behalf of all of the HEIR Respondents, and counsel from Cassels Brock & Blackwell LLP attended on behalf of all of the Canyon Respondents, and at that first attendance, Staff submitted that the hearing on the merits should be scheduled at a future pre-hearing conference or at a subsequent attendance;

**AND WHEREAS** on May 17, 2011, the Commission ordered that the hearing be adjourned to June 28, 2011 at 10:00 a.m., or to such other date as may be agreed to by the parties and fixed by the Office of the Secretary, for the purpose of addressing scheduling and any other procedural matters or for such other purposes as may be requested;

**AND WHEREAS** on June 28, 2011, Staff and counsel for the HEIR Respondents attended, and Staff advised the Commission that counsel for the Canyon Respondents, while not in attendance, had recently indicated that the Canyon Respondents would likely retain new counsel in the near future to represent them before the Commission;

**AND WHEREAS** on June 28, 2011, the Commission ordered that the hearing be adjourned to July 19, 2011 at 2:30 p.m. for the purpose of addressing scheduling and any other procedural matters or for such other purposes as may be requested;

**AND WHEREAS** on July 19, 2011, McCarthy Tétrault LLP served notice that it had been engaged to represent the Canyon Respondents as of that date;

**AND WHEREAS** at the attendance before the Commission on July 19, 2011, counsel from McCarthy Tétrault LLP attended on behalf of the Canyon Respondents and confirmed the firm's engagement;

**AND WHEREAS** at the attendance before the Commission on July 19, 2011, counsel made submissions regarding the scheduling of a further status conference or a pre-hearing conference in light of McCarthy Tétrault LLP having been retained that day and the on-going investigation by the Commission;

**AND WHEREAS** on July 19, 2011, the Commission ordered that the hearing be adjourned to August 22, 2011 at 10:00 a.m. for the purpose of discussing scheduling and any other procedural matters or for such other purposes as may be appropriate;

**AND WHEREAS** on August 22, 2011, Staff and counsel for each of the HEIR Respondents and the Canyon Respondents appeared and made submissions regarding the scheduling of a pre-hearing conference, and the Commission ordered that a pre-hearing conference be held on Tuesday, October 11, 2011 at 3:30 p.m.;

**AND WHEREAS** on October 11, 2011, Staff and counsel for each of the HEIR Respondents and the Canyon Respondents appeared before the Commission for a confidential pre-hearing conference and the Commission ordered that a further prehearing conference be held on Tuesday, December 20, 2011 at 2:30 p.m.;

**AND WHEREAS** on December 2, 2011, Norton Rose LLP served notice that it had been retained on behalf of Eric Deschamps ("Deschamps") and, as of that date, Deschamps is no longer included in the defined term "HEIR Respondents" used herein;

**AND WHEREAS** on December 20, 2011 Staff and counsel for each of the HEIR Respondents, the Canyon Respondents and Deschamps appeared before the Commission for a confidential pre-hearing conference, and the Commission ordered that a further prehearing conference be held on February 1, 2012 at 9:00 a.m. for the purpose of confirming September 10, 2012 as the target date for the commencement of the hearing on the merits and the schedule for such hearing;

**AND WHEREAS** on February 1, 2012 Staff and counsel for each of the HEIR Respondents, the Canyon Respondents and Deschamps appeared before the Commission for a confidential pre-hearing conference, and made submissions regarding the scheduling of the hearing on the merits and further pre-hearing conferences, and the Commission ordered that:

- (a) a further pre-hearing conference shall be held on Wednesday, March 14, 2012 at 9:30 a.m. for the purpose of confirming November 5, 2012 as the date for the commencement of the hearing on the merits, and the schedule for such hearing, currently expected to last approximately four weeks; and
- (b) a further pre-hearing conference shall be held on Friday, September 14, 2012 at 10:00 a.m. to address any pre-hearing issues;

**AND WHEREAS** on February 14, 2012 Staff filed an Amended Statement of Allegations in respect of the HEIR Respondents and the Canyon Respondents;

**AND WHEREAS** the Commission ordered on March 1, 2012 that McCarthy Tétrault LLP be granted leave to withdraw as the representative of the Canyon Respondents;

**AND WHEREAS** on March 14, 2012 Staff and counsel for the HEIR Respondents and Deschamps appeared before the Commission for a confidential pre-hearing conference, and Brent Borland on behalf of himself and the Canyon Respondents participated in the pre-hearing conference by telephone, and the Commission ordered that:

- (a) the hearing on the merits in this matter shall commence on November 5, 2012, and continue for four weeks thereafter, or on such further or other dates as agreed to by the parties and set by the Office of the Secretary; and
- (b) a further pre-hearing conference is scheduled for April 20, 2012 at 10:00 a.m.

**AND WHEREAS** on April 20, 2012 Staff appeared before the Commission for a confidential pre-hearing conference and counsel for Deschamps participated in the pre-hearing conference by telephone. No one participated on behalf of the HEIR Respondents or the Canyon Respondents and Staff confirmed that each of the Canyon Respondents and counsel for the HEIR Respondents had been provided with information regarding participation in the pre-hearing conference by telephone. The Commission ordered that this matter be adjourned to the previously scheduled confidential pre-hearing conference on September 14, 2012 at 10:00 a.m.;

**AND WHEREAS** on July 3, 2012 the Commission ordered that Borden Ladner Gervais LLP be granted leave to withdraw as the representative of the HEIR Respondents;

**AND WHEREAS** on September 14, 2012 a confidential pre-hearing conference was held and attended in-person by Staff and Archibald Robertson, on behalf of himself and of the HEIR Respondents. Also in attendance by telephone were Brent Borland, on behalf of himself and the Canyon Respondents, and counsel for Deschamps.

**AND WHEREAS** the Commission is of the opinion that it is in the public interest to make this order:

**IT IS ORDERED THAT:**

- (a) The hearing on the merits in this matter will commence on November 5, 2012 and will continue thereafter on November 7-9, 12-16, 19, 21-23, and 26-30 inclusive;
- (b) A further pre-hearing conference is scheduled for October 5, 2012 at 10:00 a.m.; and

- (c) All parties to this proceeding are to provide notice of their intention to bring any pre-hearing motions in this matter by no later than October 5, 2012.

**DATED** at Toronto this 14<sup>th</sup> day of September, 2012.

*“Christopher Portner”*

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Christopher Portner