



Ontario  
Securities  
Commission

Commission des  
valeurs mobilières  
de l'Ontario

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

CP 55, 19<sup>e</sup> étage  
20, rue queen ouest  
Toronto ON M5H 3S8

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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  
MORGAN DRAGON DEVELOPMENT CORP.,  
JOHN CHEONG (aka KIM MENG CHEONG),  
HERMAN TSE, DEVON RICKETTS  
and MARK GRIFFITHS**

**ORDER**

**WHEREAS** on March 22, 2012, the Ontario Securities Commission (the “Commission”) issued a Notice of Hearing pursuant to section 127 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the “Act”) (the “Notice of Hearing”) in connection with a Statement of Allegations filed by Staff of the Commission (“Staff”) on March 22, 2012, to consider whether it is in the public interest to make certain orders against Morgan Dragon Development Corp. (“MDDC”), John Cheong (aka Kim Meng Cheong) (“Cheong”), Herman Tse (“Tse”), Devon Ricketts (“Ricketts”) and Mark Griffiths (“Griffiths”) (collectively, the “Respondents”);

**AND WHEREAS** the Commission issued an Amended Notice of Hearing pursuant to sections 127 and 127.1 of the Act on March 26, 2012 (the “Amended Notice of Hearing”);

**AND WHEREAS** on April 19, 2012, a first appearance hearing was held and the matter was adjourned to a confidential pre-hearing conference on June 4, 2012;

**AND WHEREAS** on April 25, 2012, the Commission was informed that a confidential pre-hearing conference would not be required and the Commission ordered that a hearing would take place on June 4, 2012, at 9:30 a.m. to provide the panel with a status update;

**AND WHEREAS** on June 4, 2012, the Commission heard submissions from Staff and counsel for MDDC and Cheong, and the matter was adjourned to August 15, 2012, for a further status update;

**AND WHEREAS** on August 15, 2012, the Commission heard submissions from Staff and counsel for MDDC and Cheong, and the matter was adjourned to September 20, 2012, for a further status update;

**AND WHEREAS** on September 20, 2012, the hearing on the merits in this matter was scheduled to commence on April 11, 2013, and continue on April 12, 15 to 19, 22 and 24, 2013, (the “Hearing on the Merits”) and the matter was adjourned to a confidential pre-hearing conference on January 11, 2013;

**AND WHEREAS** on January 11, 2013, a confidential pre-hearing conference was held and the matter was adjourned to February 19, 2013;

**AND WHEREAS** on February 19, 2013, a confidential pre-hearing conference was held and the matter was adjourned to February 28, 2013;

**AND WHEREAS** on February 28, 2013, a confidential pre-hearing conference was held and the matter was adjourned to March 4, 2013;

**AND WHEREAS** on March 4, 2013, a confidential pre-hearing conference was held;

**AND WHEREAS** on March 25, 2013, a confidential pre-hearing conference was held;

**AND WHEREAS** Griffiths has never attended any hearing in this matter or participated in the proceeding in any way, although properly served with the Notice of Hearing and Amended Notice of Hearing and Staff’s Statement of Allegations;

**AND WHEREAS** Staff have requested that all or substantially all of the Hearing on the Merits be converted to a written hearing, pursuant to Rule 11.5 of the Commission’s *Rules of Procedure* (2012), 35 O.S.C.B. 10071 (the “Rules of Procedure”), in accordance with the schedule set out below;

**AND WHEREAS** counsel for Cheong, Tse, Ricketts and MDDC has consented to this matter proceeding as a hearing in writing;

**AND WHEREAS** Griffiths has not objected to this matter proceeding as a written hearing, though properly notified by Staff;

**AND WHEREAS** the Commission finds that it is in the public interest to make this order;

**IT IS HEREBY ORDERED**, pursuant to Rule 11.5 of the Rules of Procedure, that the Hearing on the Merits shall proceed as a written hearing, in accordance with the following schedule:

- (1) Staff will file evidence in affidavit form with the Secretary's office no later than April 26, 2013;
- (2) The Respondents will file evidence in affidavit form with the Secretary's office no later than May 17, 2013;
- (3) Staff will file any written submissions with the Secretary's office, no later than May 24, 2013;
- (4) The Respondents will file any written submissions with the Secretary's Office no later than May 31, 2013;
- (5) Staff and the Respondents will attend on a date appointed by the panel after May 31, 2013, to answer questions, make submissions and make any necessary witnesses available for cross-examination; and
- (6) The dates appointed for the Hearing on the Merits in this matter are hereby vacated.

**DATED** at Toronto this 25<sup>th</sup> day of March, 2013.

*"James Turner"*

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James E. A. Turner