



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

22nd Floor
20 Queen Street West
Toronto ON M5H 3S8

22e étage
20, rue queen ouest
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
MONCASA CAPITAL CORPORATION and
JOHN FREDERICK COLLINS**

**ORDER
(Sections 37, 127 and 127.1 of the *Securities Act*)**

WHEREAS on March 6, 2012, a Notice of Hearing was issued by the Ontario Securities Commission (the “Commission”) pursuant to sections 127 and 127.1 of the *Securities Act*, R.S.O. 1990, c. S.5, as amended (the “Act”) with respect to a Statement of Allegations issued by Staff of the Ontario Securities Commission (“Staff”) on the same day, to consider whether Moncasa Capital Corporation (“Moncasa”) and John Frederick Collins (“Collins”) (collectively, the “Respondents”) breached the Act and acted contrary to the public interest;

AND WHEREAS on December 3, 2012, an Amended Statement of Allegations was issued by Staff;

AND WHEREAS the Commission conducted the hearing on the merits in this matter with respect to the Respondents on January 21, 22, 23, 24 and March 13, 2013;

AND WHEREAS on May 17, 2013, the Commission issued its Reasons and Decision on the merits in this matter (*Re Moncasa Capital Corp.* (2013), 36 O.S.C.B. 5320 (the “Merits Decision”));

AND WHEREAS the Commission is satisfied that Moncasa and Collins have not complied with Ontario securities law and have acted contrary to the public interest, as outlined in the Merits Decision;

AND WHEREAS on July 11, 2013, the Commission conducted a hearing with respect to the sanctions and costs to be imposed in this matter (the “Sanctions and Costs Hearing”);

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

IT IS HEREBY ORDERED:

- (a) that trading in any securities by the Respondents cease permanently, pursuant to paragraph 2 of section 127(1) of the Act;
- (b) that the acquisition of any securities by the Respondents is prohibited permanently, pursuant to paragraph 2.1 of section 127(1) of the Act;
- (c) that any exemptions contained in Ontario securities law do not apply to the Respondents permanently, pursuant to paragraph 3 of section 127(1) of the Act;
- (d) that the Respondents be reprimanded, pursuant to paragraph 6 of section 127(1) of the Act;
- (e) that Collins resign all positions that he holds as a director or officer of any issuer, registrant or investment fund manager, pursuant to paragraphs 7, 8.1 and 8.3 of section 127(1) of the Act;
- (f) that Collins is prohibited from becoming or acting as a director or officer of any issuer, registrant or investment fund manager, pursuant to paragraphs 8, 8.2 and 8.4 of section 127(1) of the Act;
- (g) that the Respondents are prohibited from becoming or acting as a registrant, as an investment fund manager or as a promoter, pursuant to paragraph 8.5 of section 127(1) of the Act;
- (h) that the Respondents are required to pay on a joint and several basis an administrative penalty in the amount of \$400,000 for failure to comply with Ontario securities law, pursuant to paragraph 9 of section 127(1) of the Act, which amount is designated for allocation or use by the Commission pursuant to subsections 3.4(2)(b)(i) or (ii) of the Act;
- (i) that the Respondents are required to disgorge on a joint and several basis to the Commission the amount of \$1,231,800 obtained as a result of non-compliance

with Ontario securities law, pursuant to paragraph 10 of section 127(1) of the Act, which amount is designated for allocation or use by the Commission pursuant to subsections 3.4(2)(b)(i) or (ii) of the Act;

- (j) that the Respondents pay on a joint and several basis costs in the amount of \$280,721.02 that were incurred by or on behalf of the Commission in respect of the investigation and the hearing of this matter, pursuant to section 127.1 of the Act; and
- (k) that the Respondents are permanently prohibited to call at a residence or telephone from a location in Ontario to a residence located in or out of Ontario for the purpose of trading in any security or derivative or in any class of securities or derivatives, pursuant to section 37 of the Act.

Dated at Toronto, Ontario this 20th day of December, 2013.

“Edward P. Kerwin”

Edward P. Kerwin