

IN THE MATTER OF THE *SECURITIES ACT*,  
S.N.B. 2004, c.S-5.5

AND

IN THE MATTER OF

**INTERCONTINENTAL TRADING GROUP S.A., RON  
WALLACE AND GARY MCCORY**

**(The Respondents)**

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**NOTICE OF HEARING**

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To : **The Respondents**

**TAKE NOTICE** that the New Brunswick Securities Commission (the Commission) will hold a hearing at the offices of the Commission, suite 300, 85 Charlotte Street, Saint John, New Brunswick, commencing on **18 November 2009** at **10:00 a.m.**

The hearing is being held pursuant to section 184 of the *Securities Act*, S.N.B. 2004, c. S-5.5 (*Act*).

**The purpose of the hearing is:**

- (a) to determine whether an Order as requested in the attached Statement of Allegations should be issued in this matter; and
- (b) to make such other or further Order as the Commission may deem just or necessary.

PARTICULARS OF THE BASIS FOR THE RELIEF AND REMEDIES SOUGHT ARE SET OUT IN THE ATTACHED STATEMENT OF ALLEGATIONS.

**TAKE NOTICE** that:

YOU MUST ATTEND THIS HEARING. IF YOU FAIL TO ATTEND, THE HEARING MAY PROCEED IN YOUR

VU LA *LOI SUR LES VALEURS MOBILIÈRES*,  
L.N.-B. 2004, ch. S-5.5

ET

DANS L'AFFAIRE DE

**INTERCONTINENTAL TRADING GROUP S.A., RON  
WALLACE ET GARY MCCORY**

**(Les intimés)**

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**AVIS D'AUDIENCE**

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Destinataires : **Les intimés**

**VOUS ÊTES AVISÉS** que la Commission des valeurs mobilières du Nouveau-Brunswick (Commission) tiendra une audience au bureau de la Commission, 85 rue Charlotte, bureau 300, Saint John (Nouveau-Brunswick), le **18 novembre 2009** à compter de **10h**.

Cette audience sera tenue sous le régime de l'article 184 de la *Loi sur les valeurs mobilières*, L.N.-B. 2004, ch. S-5.5 (*Loi*).

**Les objets de cette audience sont les suivants :**

- a) de décider de l'opportunité de rendre l'une des ordonnances demandées dans l'exposé des allégations ci-joint; et
- b) de rendre toute autre ordonnance ou ordonnance additionnelle que la Commission estime appropriée ou nécessaire.

LES DÉTAILS SUR LESQUELS S'APPUIENT LES RECOURS ET LES MESURES DE REDRESSEMENT DEMANDÉS SONT PRÉCISÉS DANS L'EXPOSÉ DES ALLÉGATIONS CI-JOINT.

**PRENEZ AVIS** que :

VOUS DEVEZ ÊTRE PRÉSENT À L'AUDIENCE. À DÉFAUT, L'AUDIENCE POURRA AVOIR LIEU EN

ABSENCE AND A DECISION OR ORDER CONTRARY TO YOUR INTEREST MAY BE ISSUED.

**YOU ARE ADVISED** that:

- (a) Commission Staff intend to proceed in the English language.
- (b) you are entitled to issue documents, present evidence and be heard in either English or French. If you wish to be heard in the French language, you must advise the Commission as soon as possible.
- (c) you are entitled to be represented by counsel.

DATED at the City of Saint John this 9<sup>th</sup> day of November 2009.

“original signed by”  
Manon Losier  
Secretary to the Commission

New Brunswick Securities Commission  
Suite 300, 85 Charlotte Street  
Saint John, New Brunswick E2L 2J2

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VOTRE ABSENCE ET UNE DÉCISION OU UNE ORDONNANCE CONTRAIRE À VOS INTÉRÊTS POURRA ÊTRE RENDUE.

**NOUS VOUS AVISONS** que :

- a) le personnel de la Commission a l'intention d'utiliser la langue anglaise.
- b) vous avez le droit de produire des documents, de présenter votre preuve et d'être entendu en français ou en anglais. Si vous souhaitez être entendu en français, vous devez en aviser la Commission dès que possible.
- c) vous avez le droit d'être représenté par un avocat.

FAIT dans la municipalité de Saint John, ce 9<sup>ème</sup> jour de novembre 2009.

« original signé par »  
Manon Losier  
Secrétaire de la Commission

Commission des valeurs mobilières du Nouveau-Brunswick  
85, rue Charlotte, bureau 300  
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IN THE MATTER OF THE *SECURITIES ACT*,  
S.N.B. 2004, c. S-5.5, AS AMENDED

AND IN THE MATTER OF

**INTERCONTINENTAL TRADING GROUP S.A.,  
RON WALLACE and GARY McCORY**  
(Respondents)

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**STATEMENT OF ALLEGATIONS**  
(of Staff of the New Brunswick Securities Commission)

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1. Intercontinental Trading Group S.A. ("ITG") is a corporation purporting to have a head office in Panama City, Panama.
2. Ron Wallace ("Wallace") and Gary McCory purport to be an agents or employees of ITG.
3. Wallace and McCory, on behalf of ITG, solicited a New Brunswick resident by telephone (cold call), email and internet, to trade in securities, namely options in heating oil
4. Neither ITG, Wallace nor McCory (together the "Respondents") is registered to trade in securities in New Brunswick.
5. ITG has apparent ties to an entity named Heartford Capital Management, which the Saskatchewan Financial Services Commission cease-traded on 31 October 2007.
6. It is in the public interest to remove the Respondents from the capital markets in New Brunswick pursuant to section 184(1) of the *Securities Act*, S.N.B. 2004, c. S-5.5, as amended (the "*Securities Act*").

**Relief Sought**

Motion

7. Staff seeks a temporary order pursuant to section 184(5), section 184(1)(c)(ii) and section 184(d) of the *Securities Act*, that the Respondents shall cease trading in all securities, and that any exemptions under New Brunswick securities law do not apply to the Respondents.

8. The grounds for this motion are that the Respondents have recently solicited trading that involves transferring investment money outside of Canada, and that the time required to hold a hearing could be prejudicial to the public interest.
9. On the motion Staff will rely on the affidavit of Ed LeBlanc sworn on 23 October 2009.

Hearing

10. Staff seeks an order pursuant to section 184(1)(c)(ii) of the *Securities Act* that the Respondents shall cease trading in all securities.
11. Staff seeks an order pursuant to section 184(1)(d) of the *Securities Act* that any exemptions in New Brunswick securities law do not apply to the Respondents.

DATED at the City of Saint John this 23<sup>rd</sup> day of October 2009.



Mark McElman and Marc Wagg  
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