

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

AND

IN THE MATTER OF

**X4 TECHNOLOGIES INCORPORATED**  
**KEVIN JOSEPH SURETTE,**  
**RICKI LANDON PORTER, and**  
**LEE THOMAS JOHNSTON JR.**

**(RESPONDENTS)**

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## **MOTION**

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**1) The following relief and remedies are sought by Staff against the Respondents:**

An Order pursuant to subsection 184(1)(c)(i) of the *Securities Act*, S.N.B. 2004, c. S-5.5, as amended, that trading in shares of X4 Technologies Incorporated cease until further order by the New Brunswick Securities Commission.

An Order pursuant to subsection 184(1)(c)(ii) of the *Securities Act*, S.N.B. 2004, c. S-5.5, as amended, that all respondents cease trading in securities until further order by the New Brunswick Securities Commission.

An Order pursuant to subsection 184(1)(d) of the *Securities Act*, S.N.B. 2004, c. S-5.5, as amended, that any exemptions under New Brunswick securities law do not apply to the Respondents until further order by the New Brunswick Securities Commission.

**2) The grounds for this motion are:**

1. X4 Technologies Incorporated ("X4") is a corporation incorporated in accordance with the laws of the Province of Nova Scotia on 10 July 2003, and its registered office is at 2100-1801 Hollis Street, Halifax, Nova Scotia. It has previously purported to be in the business of software development, but has not been in operation since mid 2008.
2. Kevin Joseph Surette ("Kevin Surette") is an individual resident at 1205 Route 425 Hwy, Whitneyville, New Brunswick.
3. Ricki Landon Porter ("Porter") is an individual resident at 530 Notre Dame Street, Dieppe, New Brunswick.

4. Lee Thomas Johnston Jr. ("Johnston") is an individual whose whereabouts are currently unknown. Johnston is a former director and former president of X4, having resigned in May 2010.
5. X4, Kevin Surette, Porter and Johnston have never been registered with the New Brunswick Securities Commission (the "Commission") in any capacity.
6. X4 has never made any filings of any kind, including reports of exempt distribution, with the Commission.
7. Kevin Surette, Porter and Johnston solicited investments into X4.
8. X4 shares have been sold to a number of individuals, both in and outside New Brunswick, as recently as August and October 2008. The proceeds from these sales have been appropriated by Kevin Surette and Johnston.
9. The investigation into the activities of the Respondents, as well as other individuals and corporate entities, is ongoing.
10. The conduct of the Respondents warrants that they be removed from the capital markets of New Brunswick pending completion of the investigation.
11. The relief is sought in the public interest pursuant to section 184(1) of the Act.

3) **Evidence being relied on:**

- a. The affidavit of Ed LeBlanc, sworn 20 December 2010; and
- b. Such further and other evidence as Staff may adduce and the Commission permit, in support of this motion.

DATED at the City of Saint John this 21<sup>st</sup> day of December, 2010.

"Original signed by"

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