

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

AND IN THE MATTER OF

**WEALTH POOLS INTERNATIONAL, INC.,
ROBERT E. LANE, JAMES H. OAGLES,
RONALD J. FULTON, and JEANNIE TRACY**

(Respondents)

REASONS FOR THE DECISION: Wealth Pools International Inc.

Date of Hearing: 26 March 2008

Date of Decision: 21 July 2008

Panel:

Hugh J. Flemming, Q.C., Panel Chair

Anne W. La Forest, Panel Member

Kenneth Savage, Panel Member

Representatives:

Jake van der Laan

Mark McElman

For the staff of the New Brunswick
Securities Commission

Esther McKean

On behalf of the Denise D. Dell-Powell,
Receiver appointed for Wealth Pools
International Inc.

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

AND IN THE MATTER OF

**WEALTH POOLS INTERNATIONAL, INC.,
ROBERT E. LANE, JAMES H. OAGLES,
RONALD J. FULTON, and JEANNIE TRACY**

(Respondents)

REASONS FOR THE DECISION: Wealth Pools International Inc.

INTRODUCTION

[1] The New Brunswick Securities Commission ("Commission") held a settlement hearing on 26 March 2008 pursuant to a Notice of Hearing dated 10 March 2008 to consider whether, in the opinion of the Commission, it was in the public interest to approve a Settlement Agreement ("Agreement"), dated 10 March 2008, reached between Staff of the Commission ("Staff") and the respondent Wealth Pools International Inc. ("Wealth Pools"), and to make an cease trade order against Wealth Pools pursuant to section 184 of the *Securities Act* (the "*Act*").

[2] In the Agreement, Wealth Pools agreed that pursuant to section 184(1)(c)(ii) of the *Act*, they shall permanently cease trading in all securities.

[3] At the hearing on 26 March 2008, the Agreement was entered into evidence. Counsel for Staff and counsel on behalf of the receiver appointed for Wealth Pools both made arguments with regard to facts and law that they felt were relevant to the matter.

[4] The Panel considered and accepted the Settlement Agreement and made the Order as of 26 March 2008. The following is the Panel's reasons for its decision.

FACTS AND REASONS FOR DECISION

[5] An agreed Statement of Facts is found in Part II of the Agreement, which is attached as Schedule "A" to these Reasons.

[6] Wealth Pools is a Florida corporation which was placed in receivership by virtue of the order of the United States District Court, Middle District of Florida, dated 6 December 2007. The court-appointed receiver is Denise D. Dell-Powell, a lawyer in Florida ("Receiver"); the Receiver is represented at this hearing by Ms. McKean. Ms. McKean represented, and the Panel accepts, that under Florida law the court-appointed Receiver can bind Wealth Pools. The Agreement was signed by the Receiver.

[7] Wealth Pools operated a commission based investment scheme, through which Staff allege numerous New Brunswickers lost money.

[8] The Receiver is in the process of liquidating the assets of Wealth Pools, under court supervision. The Receiver has been instructed to gather up the assets of Wealth Pools and to develop a process to distribute money to claimants, namely individuals who lost money in the Wealth Pools scheme.

[9] The Agreement provides that Wealth Pools be permanently cease traded in New Brunswick. This ensures that Wealth Pools is publicly recognized as having acted inappropriately and contrary to the public interest in New Brunswick. However, Staff is not seeking an administrative penalty or costs to be paid by Wealth Pools as any payment to the Commission would take funds away from claimants who fulfill the process developed by the Receiver for potential repayment of some of their financial loss.

[10] In reviewing a settlement agreement, the Commission should ensure that the agreed sanctions are acceptable and should give significant weight to the agreement reached between adversarial parties.

