



Citation: *Crandall v. Investment Industry Regulatory Organization of Canada*, 2017 NBFCST 4

PROVINCE OF NEW BRUNSWICK
FINANCIAL AND CONSUMER SERVICES TRIBUNAL
IN THE MATTER OF THE *SECURITIES ACT*, S.N.B. 2004, c s-5.5

Date: 2017-09-21
Docket: SE-001-2017

BETWEEN:

Robert A. Crandall,

Applicant,

-and-

Investment Industry Regulatory Organization of Canada,

Respondent.

ORDER

Restriction on publication: This Order has been anonymized to comply with the *Right to Information and Protection of Privacy Act*, S.N.B. 2009, c. R-10.6.

WHEREAS a pre-hearing conference was held on September 21, 2017;

AND WHEREAS the Tribunal raised as a preliminary motion, at the pre-hearing conference, the disclosure of documents to Mr. Crandall by the National Bank;

AND WHEREAS a further pre-hearing conference will be held;

AND WHEREAS the following issues were retracted by Mr. Crandall from his Request for Hearing and will not be considered at the hearing of the review:

- a) Mr. Crandall was relieved of his employment at Jones Gable and was unable to find other

employment in his field due to the impending accusations and anticipated IIROC hearing;

- b) Mr. Crandall was denied the request to obtain a competency test of the complainant as it was apparent to him during the hearing before the IIROC panel that the complainant was not clear and sound of mind;
- c) The complainant accepted an undisclosed amount of money as a settlement from National Bank, which settlement happened prior to the hearing before the IIROC panel;
- d) Counsel contacted Mr. Crandall regarding an out of court settlement; and
- e) The original complaint was filed by the complainant's daughter, who had no authorization over the complainant's accounts.

IT IS HEREBY ORDERED THAT:

- 1. If not already provided, IIROC shall produce the totality of its disclosure from the IIROC proceedings in paper format to Robert Crandall on or before October 6, 2017. The disclosure shall be organized with a table of contents and the documents numbered and organized in an orderly fashion; and
- 2. IIROC and its counsel shall provide all future documents in this proceeding, excluding correspondence, to Mr. Crandall in paper format, in a timely manner. Correspondence may be sent by e-mail.

DATED at the City of Saint John this 21st day of September, 2017.

Judith Keating, Q.C.

Judith Keating, Q.C. Tribunal
Chair

Raoul Boudreau

Raoul Boudreau, Tribunal
Member

Gerry Legere

Gerry Legere, Tribunal Member