

IN THE MATTER OF
FAWAD UL HAQ KHAN
carrying on business as **FOREX PLUS**

File No. 2024-6

MOTION
OF ONTARIO SECURITIES COMMISSION
(Amendment of Statement of Allegations, dated March 13, 2024)
Under Rule 22 of the *Capital Markets Tribunal Rules of Procedure*

A. ORDER SOUGHT

The Ontario Securities Commission (“Commission”) requests, with notice, that the Capital Markets Tribunal (the “Tribunal”) make the following orders:

1. An Order to amend the Statement of Allegations dated March 13, 2024 in the form attached as Schedule “A”.
2. Such further orders as the Tribunal considers appropriate.

B. GROUNDS

The grounds for the motion are:

1. The Respondent, originally named in the Statement of Allegations as “Fawad Ul Haq Khan” was the subject of a proceeding before the Tribunal in 2014. The Tribunal issued orders against the Respondent using the name “Fawad Ul Haq Khan”.
2. There is no indication in the Reasons and Decision on the merits hearing or the Reasons and Decision on sanctions and costs that the Respondent objected to the use of the name “Fawad Ul Haq Khan”.

3. The Registrar sent the Reasons and Decision on sanctions and costs and the Order on sanctions and costs in that matter to the Respondent at fkhan786@gmail.com which is the same email address that the Respondent has used to communicate with investors and others, including the Commission in connection with the subject matter of this proceeding.
4. On March 13, 2024, the Commission commenced this proceeding against the Respondent in which the Respondent is identified in the title of proceedings as “Fawad Ul Haq Khan”.
5. At an attendance in this matter on April 15, 2024, the Respondent advised the Tribunal that his name is “Fawad Ul Haq” and “not Khan”.
6. The evidence gathered by the Commission during the investigation reflects that the Respondent’s name has appeared on an expired passport as “Fawad U Haq” but that he also uses the names “Fawad Ul Haq”, “Fawad Khan”, and “Fawad Ul Haq Khan”.
7. As a result, an amendment is sought to the Statement of Allegations to reflect the various names used by the Respondent.
8. The Commission relies on Rule 22 of the *Capital Markets Tribunal Rules of Procedure*.
9. Such further and other grounds as counsel may advise and the Tribunal may permit.

C. EVIDENCE

The Commission intends to rely on the following evidence for the motion:

1. The proposed Amended Statement of Allegations attached as Schedule “A”.
2. The Affidavit of Yolanda Leung, sworn June 4th, 2024.
3. Such further and other materials as counsel may advise and the Tribunal may permit.

DATED this 4th day of June, 2024.

ONTARIO SECURITIES COMMISSION

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