



Capital  
Markets  
Tribunal

Tribunal des  
marchés  
financiers

22nd Floor  
20 Queen Street West  
Toronto ON M5H 3S8

22e étage  
20, rue Queen ouest  
Toronto ON M5H 3S8

---

**IN THE MATTER OF  
XIAO HUA (EDWARD) GONG**

File No. 2022-14

**Adjudicator:** Russell Juriansz

September 10, 2024

**ORDER**

WHEREAS on September 9, 2024, the Capital Markets Tribunal held a case management hearing to consider a request to vary the schedule of the hearing of the respondent Xiao Hua (Edward) Gong's motion for a permanent stay of the proceeding (**Stay Motion**), which was previously scheduled by order of the Tribunal dated March 26, 2024;

ON HEARING the submissions and the joint proposal of the representatives of the Ontario Securities Commission (the **Commission**) and of the respondent;

IT IS ORDERED THAT:

1. Paragraph 2 of the Tribunal's March 26, 2024 order is varied as follows:
  - a. the parties shall adhere to the following timeline for the delivery of materials for the Stay Motion:
    - i. by 4:30 p.m. on September 18, 2024, Gong shall serve and file his written submissions for the Stay Motion;
    - ii. by 4:30 p.m. on September 26, 2024, the Commission shall serve and file its motion record for its motion relating to evidentiary and procedural issues on the Stay Motion (the **Evidentiary Motion**);
    - iii. by 4:30 p.m. on October 10, 2024, Gong shall serve and file his responding motion record on the Evidentiary Motion;
    - iv. the parties shall conduct cross-examinations on the Stay Motion between October 30, 2024 and November 15, 2024; and
    - v. by 4:30 p.m. on November 29, 2024, the Commission shall serve and file its responding written submissions on the Stay Motion; and

- vi. by 4:30 p.m. on December 6, 2024, Gong shall serve and file his reply written submissions, if any, on the Stay Motion.
2. the Evidentiary Motion is scheduled for October 15 and 16, 2024 at 10:00 a.m., at the Tribunal located at 20 Queen Street West, 17<sup>th</sup> Floor, Toronto, Ontario, or on such other date or time as may be agreed to by the parties and set by the Governance & Tribunal Secretariat; and
3. the Stay Motion is scheduled for December 12 and 13, 2024 at 10:00 a.m., at the Tribunal located at 20 Queen Street West, 17<sup>th</sup> Floor, Toronto, Ontario, or on such other date or time as may be agreed to by the parties and set by the Governance & Tribunal Secretariat.

*"Russell Juriansz"*

---

Russell Juriansz