

**IN THE MATTER OF
THE TRUST AND LOAN CORPORATIONS ACT, 1997, S.S. 1997, c. T-22.2**

**AND
IN THE MATTER OF
CAN-WEST MANAGEMENT**

**TEMPORARY CEASE AND DESIST ORDER
(Section 77)**

WHEREAS it appears to the Saskatchewan Superintendent of Financial Institutions (the “Superintendent”) that:

1. Can West Management, Trevor Middlehouse, Michelle Knight and Jeffery Freeman (collectively the “Respondents”) are offering to broker loans for consumers from a Saskatoon, Saskatchewan location.
2. The Respondents require an advance fee to be paid to the Respondents by a consumer when applying for a loan;
3. The above activities fall within the definition of a loan broker under subsection 44(b) of *The Trust and Loan Corporations Act, 1997* S.S. 1997, c. S-42.2 (the “Act”);
4. The acceptance of or requirement for an advance payment to be paid by a consumer is in contravention of section 47 of the Act;
5. The Respondents are not registered as a loan broker under the Act and are therefore in contravention of section 45 of the Act;
6. The Respondents have not applied for registration under the Act;

AND WHEREAS the Superintendent is satisfied that it is in the public interest to issue an order under subsection 77(2) of the Act;

AND WHEREAS the Superintendent considers it necessary to protect the public interest pursuant to subsection 77(4) of the Act;

THE SUPERINTENDENT HEREBY ORDERS:

1. Pursuant to clause 77(2)(a) and subsection 77(4) of Act, that as of April 25, 2002, the Respondents immediately cease and desist from operating as a loan broker in the province of Saskatchewan until such time as the Respondents are registered pursuant to, or are in compliance with the Act.

2. Pursuant to clause 77(2)(a) and subsection 77(4) of the Act, that as of April 25, 2002, the Respondents immediately cease and desist from requiring or accepting advance payments.

AND TAKE NOTICE THAT:

1. The Superintendent hereby gives the Respondents named in this Order an opportunity to be heard on the 6th day of May, 2002 at the hour of 9 o'clock in the forenoon in the main board room, 1871 Smith Street, Regina, Saskatchewan and from day to day until the hearing is concluded;
2. The purpose of such hearing will be to determine whether or not the Superintendent shall continue the Order made herein pursuant to clause 77(2)(a) and subsection 77(4) of the Act;
3. Any party attending a proceeding before the Superintendent may be represented by counsel at their own cost; and
4. Upon failure to attend the hearing at the time and place set therefore, the Superintendent may proceed in the absence of such party and may make any decision or take any action the Superintendent considers appropriate as though the party had appeared and was present.

AND TAKE NOTICE THAT:

The Superintendent suspects that the Respondents may have contravened the Act or committed an offence against the Act, namely conducting business under the name and style of Can-West Management as a loan broker or intending to conduct business as a loan broker in Saskatchewan in contravention of section 45 of *The Trust and Loan Corporations Act, 1997*. Therefore, pursuant to section 68 of the Act, the Superintendent advises the Respondents that they are not obliged to make any written or oral statement and that any statement made by the Respondents may be used against the Respondents in a subsequent proceeding for the offence.

DATED this 25th day of April 2002 at the City of Regina, in the Province of Saskatchewan.

'Jan Whitridge'
Jan Whitridge
Deputy Superintendent
of Financial Institutions

To: Can-West Management
Trevor Middlehouse
Michelle Knight
Jeffery Freeman