



IN THE MATTER OF: THE SECURITIES ACT

-and-

IN THE MATTER OF: GREGORY DAVID ANDERSON

**STATEMENT OF ALLEGATIONS OF STAFF OF THE
MANITOBA SECURITIES COMMISSION**

**STAFF OF THE MANITOBA SECURITIES COMMISSION ALLEGE, INTER
ALIA, THAT:**

A. REGISTRATION

1. Gregory David Anderson ("Anderson") has been registered as a salesman under The Securities Act (the "Act") since April 16, 1993.
2. At all material times hereto Anderson was registered as follows:
 - (a) from November 20, 1996 to on or about May 20, 1998 with Prime Financial Securities Inc., formerly known as Phoenix (Mutual Fund Distributors) Ltd., ("Prime");
 - (b) pursuant to Transfer of Registration No. G 002184 and Certificate of Registration No. F 036507 (the "Certificate") with Balanced Planning Investments Corporation ("Balanced"), from May 21, 1998 to March 31, 1999 at which time his employment terminated and his registration was suspended.
3. The Registration of Anderson under the Certificate will expire on October 12, 1999.

B. DETAILS

1. During the time that Anderson was employed with Prime, Mildred Martin (“Martin”) was a client of Anderson’s.
2. On May 4, 1998, Anderson resigned from Prime.
3. In May of 1998, Martin was 60 years of age and of ill health.
4. In or about the first week of May 1998, Anderson attended at the apartment of Martin (the “meeting”).
5. Martin can say that during the meeting, Anderson advised that he was contemplating leaving Prime and wanted to know if Martin would move her account with him to Balanced. Anderson had with him papers for her to sign to transfer her account from Prime to Balanced.
6. Martin declined to sign any papers transferring her account.
7. Martin can say that at no time did Martin communicate to Anderson that she wished to have her account remain with Anderson nor did she tell him she wished to transfer to Balanced.
8. The occasion of the meeting was the last time that Martin saw Anderson.
9. After the meeting, Martin made arrangements to effect her intention to keep her account with Prime and to appoint a new representative at Prime, Mario Di Fonzo (“Di Fonzo”).
10. On or about May 11, 1998, Martin signed a Change of Representative form confirming her intention to remain with Prime and appointing Di Fonzo as her new representative (the “Change of Rep Form”).
11. The Change of Rep Form specifically identified Martin as having funds with the MacKenzie fund group (the “Martin Funds”), instructed that all information should be directed to Prime, and confirmed her representative to be Di Fonzo.
12. In late May of 1998, Prime was refused access by MacKenzie to information on the

Martin Funds as a result of a second change form dated May 22, 1998, which purported to bear the signature of Martin, to authorize a change in dealer to Balanced, and to name Anderson as the representative for Martin (the "Second Change Form").

13. The Second Change Form was sent by facsimile transmission to MacKenzie from Balanced on May 25, 1998.
14. Martin can state that the signature on the Second Change Form that purports to be hers is not in fact her signature.
15. Martin can further state that:
 - (a) at no time did she authorize Anderson or anyone else to affix her signature to the Second Change Form;
 - (b) at no time following her completion of the Change of Rep Form naming Di Fonzo did she intend to transfer her account to Anderson;
 - (c) at no time did she sign any documentation naming Anderson as her representative and Balanced as her dealer.
16. Since receiving a copy of the Second Change Form from MacKenzie on or about June 9, 1998, Martin has completed documentation to reinstate Prime and Di Fonzo as her Dealer and representative.

C. ALLEGATIONS

1. Staff of the Commission allege that:
 - (a) Anderson forged the signature of a client, Martin, on the Second Change Form;
 - (b) Anderson transferred the account of Martin from Prime to Balanced naming himself as the representative without the instructions, authorization or consent of Martin;

and that due to these allegations, it is in the public interest that the registration of Anderson as a salesman under the Act be suspended or cancelled and that, in addition, Anderson not be entitled to use any of the exemptions contained in sections 19(1), 19(2) and 19(3) of the Act and therefore should not be entitled to participate in the exempt markets in Manitoba in the future.

2. Such further and other matters as counsel may advise and the Commission may permit.

DATED at Winnipeg, Manitoba this 20th day of May, 1999.


Director

TO: GREGORY DAVID ANDERSON
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