

**THE SECURITIES ACT**

)

**Order No. 3050**

)

**Section 19(5)**

)

**September 7, 2000**

**MAX SYSTEMS INC., BARRY BANEK and SHAWN RATTAI**

**WHEREAS:**

(A) A hearing (the "Hearing") was held by The Manitoba Securities Commission (the "Commission") on May 25 and 26, 1998 and May 16, 17 and 18, 2000 pursuant to a Notice of Hearing dated December 17, 1997 and Statement of Allegations of Staff dated June 8, 1998, to consider:

1. whether or not it is in the public interest to order, pursuant to subsection 19(5) of The Securities Act (the "Act"), that:

(a) subsections 19(1) and 19(3) of the Act do not, with respect to such of the trades referred to in those sections, apply to Max Systems Inc. ("Max"), Barry Banek ("Banek"), Shawn Rattai ("Rattai") and/or Ronald M. Frank ("Frank");

(b) subsection 19(2) of the Act does not, with respect to such of the securities referred to in that section, apply to Max, Banek, Rattai and/or Frank;

2. Whether or not it is in the public interest to order that Max, Banek, Rattai and/or Frank pay the costs of the hearing;

3. such further and other matters and the making of such further and other orders as the Commission may deem appropriate.

**IT IS ORDERED:**

1. **THAT**, pursuant to subsection 19(5) of the Act

(a) subsections 19(1) and 19(3) of the Act do not, with respect to such trades referred to in those sections, apply to Max; and

(b) subsection 19(2) of the Act does not, with respect to such securities referred to in that section, apply to Max;

up to and including August 9, 2002.

2. **THAT**, pursuant to subsection 19(5) of the Act

(a) subsections 19(1) and 19(3) of the Act do not, with respect to such trades referred to in those sections, apply to Banek; and

(b) subsection 19(2) of the Act does not, with respect to such securities referred to in that section, apply to Banek;

up to and including the later of:

(i) August 9, 2004, and

(ii) the date upon which costs of \$2,000.00 have been paid to the Commission.

**3. THAT,** pursuant to subsection 19(5) of the Act

(a) subsections 19(1) and 19(3) of the Act do not, with respect to such trades referred to in those sections, apply to Rattai; and

(b) subsection 19(2) of the Act does not, with respect to such securities referred to in that section, apply to Rattai;

up to and including the later of:

(i) August 9, 2001, and

(ii) the date upon which costs of \$500.00 have been paid to the Commission.

**BY ORDER OF THE COMMISSION**

**Director**