

**THE SECURITIES ACT**

)

**Order No. 3353**

)

**Sections 148 and 19(5)**

)

**June 1, 2001**

**ERNEST DAVID JANZEN and  
TRI-WEST INVESTMENT CLUB**

**WHEREAS:**

(A) The Manitoba Securities Commission (the "Commission") has received Information which indicates that securities of Tri-West Investment Club have been traded and may continue to be in the process of being traded in Manitoba to members of the public by Ernest David Janzen ("Janzen") in contravention of the provisions of The Securities Act (the "Act");

(B) Neither Janzen nor Tri-West Investment Club are registered under the Act to trade in securities in Manitoba;

(C) No prospectus, preliminary prospectus or notice of intention to trade pursuant to the exemptions in clause 91 of the Regulation to the Act has been filed with the Commission, and no exemption order has been granted by the Commission, in respect of any trades in securities of Tri-West Investment Club;

(D) Information in the form of written material has been received by staff of the Commission which contains, inter alia, an application for prospective Tri-West Investment Club members whereby persons may invest in units of \$1,000.00 USD in a leverage investment program for a period of one year, with a return of 10% (ten percent) per month;

(E) The application contains the instruction that all transactions between the applicant and Tri-West Investment Club be kept strictly confidential;

(F) The Written Material further contains, inter alia, details of a referral program whereby Tri-West Investment Club pays a referral bonus to the referring member of 15% of the referred investment and 15% of the earned investment income of the referred member;

(G) Information has been received by staff of the Commission that Janzen has been and may continue to be promoting the trading of securities of Tri-West Investment Club;

(H) Information has been received by staff of the Commission that monies have been received by Janzen in the furtherance of trading in securities of Tri-West Investment Club in a manner which may be in contravention of the Act;

(I) The Commission is of the opinion that in view of the foregoing it is in the public interest to make this order and that the holding of a hearing would cause a delay prejudicial to the public interest.

**IT IS ORDERED:**

1. **THAT**, pursuant to section 148 of the Act, all trading in the securities of the Tri- West Investment Club shall cease forthwith for a period 12 days from and including the 31<sup>st</sup> day of May, 2001 to and including the 11<sup>th</sup> day of June, 2001.

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

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

(b) subsection 19(2) of the Act does not, with respect to such of the securities referred to in that subsection, apply to Janzen, for a period 12 days from and including the 31<sup>st</sup> day of May, 2001 to and including the 11<sup>th</sup> day of June, 2001.

**BY ORDER OF THE COMMISSION**

**Director, Legal and Enforcement**