



THE SECURITIES ACT )  
)  
Sections 148, 19(5), and 148.3 )

Order No. 7030

November 26, 2014

**TRICOASTAL CAPITAL PARTNERS LLC, TRICOASTAL CAPITAL  
MANAGEMENT LTD. AND KEITH MACDONALD SUMMERS**

**WHEREAS:**

(A) On September 4, 2014, the Ontario Securities Commission ("OSC") issued an Order against Tricoastal Capital Partners LLC, Tricoastal Capital Management Ltd. and Keith MacDonald Summers, collectively referred to as the respondents ("OSC Order");

(B) On October 9, 2014, The Manitoba Securities Commission ("Commission") issued a Notice of Hearing ("Notice") giving notice of its intention to hold a hearing to consider whether or not it was in the public interest to grant orders pursuant to *The Securities Act*, R.S.M. 1988, c. S50 as amended ("Act") with respect to the respondents;

(C) The respondents have each consented to the issuance of this order and have waived their respective rights to a full hearing;

(D) The Commission is of the opinion that it is in the public interest to make this order.

**IT IS ORDERED:**

1. **THAT**, pursuant to section 148 of the Act, the respondents cease trading in securities permanently, with the exception that SUMMERS is permitted to trade in securities for the account of a registered retirement savings plan ("RRSP") as defined in the *Income Tax Act*, R.S.C., 1985, c. 1 as amended and/or a tax-free savings account ("TFSA") in which he and/or his spouse have sole legal and beneficial ownership only after complying with any disgorgement or restitution order made in connection with the Parallel Criminal Proceeding described in the OSC Order, provided that:

- (a) the securities are listed and posted for trading on the Toronto Stock Exchange, the New York Stock Exchange or NASDAQ (or their successor exchanges) or are issued by a mutual fund that is a reporting issuer;

- (b) SUMMERS does not own legally or beneficially (in the aggregate, together with his respective spouse) more than one percent of the outstanding securities of the class or series of the class in question; and
- (c) SUMMERS carries out any permitted trading through a registered dealer and through trading accounts opened in his name or the name of his spouse only (and he must close any trading accounts that are not in his name or the name of his spouse only).

2. **THAT**, pursuant to subsection 19(5) of the Act, subsection 19(1) of the Act, with respect to such of the trades referred to in that subsection, and subsection 19(2) of the Act, with respect to such of the securities referred to in that subsection, do not apply to the respondents permanently, except to allow trading in securities permitted by and in accordance with paragraph 1 of this order.

3. **THAT**, pursuant to section 148.3 of the Act, SUMMERS resign all positions he holds as an officer or director of any issuer, except that SUMMERS may retain any position he holds as a director or officer of a private issuer in which he or his spouse are the only shareholders, and be permanently prohibited from becoming or acting as an officer or director of any issuer, except that SUMMERS may act as an officer or director of a private issuer in which he or his spouse are the only shareholders.

**BY ORDER OF THE COMMISSION**



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**Acting Director**