

THE REAL ESTATE BROKERS ACT)	Order No. 2753
)	
Section 11(1))	May 1, 2019

NANCY JANE BOHEMIER

WHEREAS:

- (A) On December 4, 2018, a Notice of Hearing issued by reason of a Statement of Allegations of staff of The Manitoba Securities Commission ("Commission") dated December 4, 2018, whereby the Commission gave notice of its intention to hold a hearing to consider whether or not orders should be made under *The Real Estate Brokers* ("Act") with respect to Nancy Jane Bohemier ("BOHEMIER");
- (B) On January 16, 2019, this hearing matter came before a panel of the Commission and was adjourned to February 20, 2019;
- (C) On February 20, 2019, this hearing matter again came before a panel of the Commission at which time hearing dates were set for June 10, 2019 through to June 14, 2019 inclusive, commencing at 9:00 a.m. each day, and the Commission issued Order No. 2748 requiring the respondent BOHEMIER to provide disclosure as set out therein to staff counsel by April 12, 2019;
- (D) On April 23, 2019, staff filed a motion for an order in respect of the failure of BOHEMIER to comply with Order No. 2748 ("staff's motion");
 - (E) On May 1, 2019, staff's motion was heard;
- (F) Upon hearing submissions from counsel for staff and from the self-represented respondent, counsel for the respondent having withdrawn on May 1, 2019, and upon reviewing staff's Notice of Motion, Commission Order No. 2748, the Affidavit of Arian Poushangi, staff's Motion Brief, and the Certified Statement of the Registrar, the Commission is of the opinion that it is in the public interest to make this Order.

IT IS ORDERED:

- THAT the time for service of notice of staff's motion be abridged.
- **2. THAT** at the hearing of this matter, BOHEMIER shall not be permitted to:
 - (a) call any witnesses including herself;
 - (b) refer to or introduce into evidence documents;

- (c) call an expert witness.
- **3. THAT** BOHEMIER provide to staff counsel by Wednesday, May 8, 2019 an Outline of the proposed case of the respondent.
- **4. THAT** pursuant to section 154 of The Securities Act and section 34 of The Real Estate Brokers Act, BOHEMIER pay costs of \$3,000.00 to be paid on or before May 8, 2019.
- **5. THAT** BOHEMIER retain legal counsel, if she intends to do so, by May 10, 2019 and have said counsel contact staff counsel.
- **THAT** the dates set for the hearing of this matter be and are hereby reconfirmed as June 10, 2019 through to and inclusive of June 14, 2019 commencing at 9:00 a.m. each day.

BY ORDER OF THE COMMISSION

Director