

# ALBERTA SECURITIES COMMISSION

**Citation: Re Hunter, 2024 ABASC 72**

**Docket: ENF-012985**

**Date: 20240429**

## NOTICE OF APPLICATION

**In the Matter of:** Glenn Donald Hunter, Kyle William Watters,  
HW & Associates Inc., and HW TradeFX LLC

**Applicant:** Staff of the Alberta Securities Commission

**Respondents:** Glenn Donald Hunter, Kyle William Watters,  
HW & Associates Inc. and HW TradeFX LLC

**Notice:** Application for an Extension of Interim Order

### Order Sought

1. Staff seek an order pursuant to sections 33(4) and 198 of the *Securities Act*, RSA 2000, c S-4, as amended (*Act*), extending the interim order granted by a panel of the Alberta Securities Commission (**Commission**) against the Respondents on May 4, 2023, *Re Hunter*, 2023 ABASC 56 (**Interim Order**), until the allegations in the Notice of Hearing issued against the Respondents on April 26, 2024, *Re Hunter*, 2024 ABASC 70, are finally determined or otherwise concluded.
2. Such further and other relief as the Commission deems appropriate in the circumstances.

### Grounds

The grounds of the application are:

3. On April 25, 2023, Staff issued a Notice of Hearing against the Respondents seeking the Interim Order.
4. The Interim Order was sought on the grounds that the evidence showed, on a *prima facie* basis, that the Respondents acted as dealers without being registered in breach of section 75(1)(a) of the *Act*. Counsel appeared on behalf of the Respondents at the hearing for the Interim Order, and they did not oppose Staff's application.
5. On April 26, 2024, Staff issued the Notice of Hearing on the merits, *Re Hunter*, 2024 ABASC 70, alleging serious breaches of section 75(1)(a) of the *Act* (**Notice of Hearing**).

6. It is in the public interest to maintain the Interim Order in place on the basis that the Respondents' market activities, as alleged in the Notice of Hearing, pose a risk to the integrity of the capital markets and investors, and a protective order is warranted until those allegations have been finally determined or concluded.
7. The Respondents, through their counsel, have advised that they are not opposed to the granting of the extension sought.

#### **Law**

1. Sections 33, 75(1)(a) and 198 of the *Act*.
2. *Re GRS Hydrogen Solutions Inc. and Albert Cerenzie*, 2023 ABASC 152, at paras. 10 and 12.

#### **Materials**

1. Affidavit of Jennifer Stachow affirmed April 25, 2023;
2. Correcting Affidavit of Jennifer Stachow affirmed January 25, 2024;
3. Transcript from the hearing held on May 4, 2023 (**HT**), in particular, the panel's reasons for granting the Interim Order at HT: 45:24-53:6; and
4. Notice of Hearing; and
5. Such further and other materials that Staff may advise and the Commission may permit.

Calgary, Alberta, 29 April, 2024

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) *"Original Signed By"*  
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) Richard Van Dorp  
) Senior Litigation Counsel