

ALBERTA SECURITIES COMMISSION
CEASE TRADE ORDER: REVOCATION

Citation: Re EnerMerge Inc., 2022 ABASC 157

Date: 20221123

EnerMerge Inc.

Background

1. EnerMerge Inc. (the **Issuer**) is subject to a cease trade order (the **CTO**) issued by the Executive Director of the Alberta Securities Commission dated 13 October 2022
2. The Issuer has requested from the Executive Director an order under section 214 of the *Securities Act* (Alberta) (the **Act**) revoking the CTO.

Representations

3. The decision is based on the following facts represented by the Issuer:
 - (a) The Issuer has filed a letter on SEDAR withdrawing its offering memorandum dated January 1, 2022.
 - (b) The Issuer has amended its report of exempt distribution to indicate that the distributions referred to in the CTO (**affected distributions**) were made under section 2.3 *Accredited investor* rather than section 2.9 *Offering memorandum* of National Instrument 45-106 *Prospectus Exemptions* (**NI 45-106**) and has filed that amended report on SEDAR.
 - (c) Each of the investors in the affected distribution has confirmed that they qualify as an accredited investor under NI 45-106 and the Issuer has advised each of those investors of the effect of changing the prospectus exemption.

Decision

4. The undersigned, considering that it would not be prejudicial to the public interest to do so, orders under section 214(1.1) of the Act that the CTO is revoked.

23 November 2022

"original signed by"
David Linder
Executive Director