



## FINANCIAL SERVICES TRIBUNAL

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January 7, 2016  
By email

File No. 2015-FIA-002

Hunter Litigation Chambers Law Corp.  
2100-1040 West Georgia St.  
Vancouver BC V6E 4H1

Attention: Brent Olthuis

Ministry of Justice  
Legal Services Branch  
1301- 865 Hornby Street  
Vancouver BC V6Z 2G3

Attention: Sandra Wilkinson

Alexander Holburn Beaudin & Lang LLP  
2700-700 West Georgia Street  
Vancouver BC V7Y 1B8

Attention: David McKnight

Dear Mr. Olthuis, Mr. McKnight and Ms. Wilkinson:

**Re: Appeal to the Financial Services Tribunal (“FST”) and Stay of the Council Order in Pritpal Singh Mann v. the Insurance Council of British Columbia (“Council”) and the Financial Institutions Commission (“FICOM”)**

On December 21, 2015, the FST received a notice of appeal and application for a stay, filed by Brent Olthuis on behalf of Pritpal Singh Mann (the “Appellant”), under section 242(1) of the *Financial Institutions Act* (the “Act”) appealing an Order of the Insurance Council of British Columbia dated December 8, 2015 (the “Order”), suspending the Appellant’s general insurance licence for a period of one year effective December 22, 2015.

At the same time he filed his appeal, Mr. Mann made an application for a stay of the Order until a final determination of the appeal of the matter.

After receipt of the notice of appeal and application for a stay, the FST provided notice of the appeal and the stay application to the Respondents (the Council and FICOM), and issued a short interim stay of the Order on December 22, 2015, to allow time for the Respondents to provide submissions on the application for a stay pending a determination of the appeal. The stay was granted until 6:00 pm on Wednesday January 13, 2016, or until further Order of the FST, whichever occurred first.

The Respondent Council wrote to the FST on December 23, 2015, acknowledging receipt of the notice of appeal, noting it did not object to the interim stay, and stating their consent for the stay of the Order to remain in effect until the FST had the opportunity to reach a final decision on the appeal. No objection or submission regarding the application for a stay pending determination of the appeal was received from the Respondent FICOM by the January 6, 2016 deadline set by the FST.

Accordingly, upon consideration of the Appellant's application for a stay, and in light of the consent or lack of objection from the respondent parties, pursuant to section 242.2(10)(a)(i) of the Act, I hereby direct that the Order is stayed until a final determination of the appeal.

The matter will proceed by way of a written hearing on the record pursuant to section 242.2(5) of the Act, subject to any application by a party under section 242.2(8). I have requested that Council prepare the record of the proceedings below as described in section 242.2(6) of the Act and I expect it will be provided to the FST and to the other parties on or before **January 11, 2016**. Upon receipt of the record, the FST will issue a schedule to the parties for filing of their written submissions on the merits of the appeal, as set out in section 3.11 of the FST Practice Directives and Guidelines.

Pursuant to section 242.2(3) of the Act, I have assigned FST member Patrick F. Lewis, Vice-Chair, to consider and determine this appeal.

Sincerely,

"Ted Strocel"

Theodore F. Strocel, Q.C.  
Chair  
Financial Services Tribunal