

In the Matter of

The Securities Act, 1988

and

In the Matter of

Ronald James Aitkens, also known as Ron Aitkens,

1252064 Alberta Ltd.,

1330075 Alberta Ltd.,

Harvest Capital Management Inc., and

Harvest Group GP Corporation

Written Decision – Request for Adjournment

Hearing held by conference call: August 25, 2017

Before: Peter Carton (Chairperson), Eugene Scheibel, Larry Kyle (Panel Members)

Appearances: Ronald Aitkens (Respondent)
Dallas Smith (Counsel for the Securities Division, FCAA)

Date of Decision: August 25, 2017

The panel met by conference call to consider an application from the Respondent to adjourn a hearing which was set to begin September 18 to 22nd inclusive.

The panel heard from Mr. Aitkens that he was formally served with documents on August 11, 2017 by the Lethbridge police. He claimed to have heard nothing about the case since 2013 and he had no communication from the FCAA since that time. He informed the panel that he had been involved in a similar action with the Alberta Securities Commission which had concluded in April of 2017 with a decision yet to be rendered. He also informed the panel that he was at the present time, of no fixed address. He requested the hearing be adjourned to allow him time to find a lawyer and prepare for the hearing.

The panel also heard from staff of the FCAA Securities division. They stated that all notice requirements according to the Act had been satisfied. Notice of the hearing dated April 21st, 2017 had been properly posted online and sent by mail to last known addresses for the Respondent and related companies. To date no mail had been returned. Additionally they had conscripted the help of the Lethbridge police to try and serve Mr. Aitkens personally, a task they had difficulty with but eventually succeeded. Staff was opposed to the adjournment for a number of reasons:

1. all witnesses had been subpoenaed, paid and were scheduled to appear;
2. a great deal of work has gone into the preparation for the hearing; and
3. this matter was already rescheduled from an April date.

Mr. Aitkens stated that the address in question was a previous residence now occupied by his estranged wife. He did not know what would have become of the mail sent there. He also stated that he would be calling witnesses to support his defense but did not know how much time he required in the hearing.

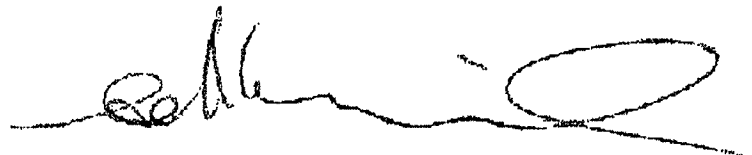
The panel is not convinced that Mr. Aitkens was totally unaware of the hearing dates. He has made no attempts to look for counsel in the time he was formally served by the police and the conference call date. Additionally in the event of an adjournment he could not provide the panel with an address which would make service again difficult if not impossible.

The panel considered the request and information that was put in front of it and have decided to deny the application. The hearing is set to begin September 18, 2017 at 9:00 AM and run until September 22, 2017. Should more time be needed to hear evidence the panel will set additional dates.

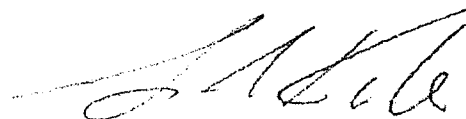
This is the unanimous decision of the panel.



Peter Carton (Chairperson)



Honourable Eugene Scheibel (Panel Member)



Honourable Larry Kyle (Panel Member)