



Saskatchewan
Financial Services
Commission

Securities Division

IN THE MATTER OF
THE SECURITIES ACT, 1988, S.S. 1988, c. S-42.2

AND

IN THE MATTER OF
ALENA MARIE PASTUCH
TEAMWORX PRODUCTIONS LTD.
IDENDEGO INC.
101114386 SASKATCHEWAN LTD.
101115379 SASKATCHEWAN LTD.
CRYPTGUARD LTD.

Dear Ms. Pastuch and Mr. Udembga:

The Saskatchewan Financial Services Commission appointed Commissioner Peter Carton, Commissioner Gordon Hamilton, and Commissioner and Vice Chairperson Paul Robinson as the Hearing Panel to hear the above noted matter as provided for in the *Securities Act, 1988*.

This Letter Decision will address the Respondents' ongoing disagreement with the restrictive terms and conditions attached to Disclosure, as contained in the Hearing Panel's February 15, 2011 Order, and the request to reconsider this Order.

Background

The Hearing Panel outlined certain restrictive conditions on disclosure in its February 15, 2011 Order, which read:

NOW THEREFORE IT IS HEREBY ORDERED that the disclosure documents currently in the

possession of the Respondents' interim counsel, as well as any further disclosure documents produced by the Securities Division legal counsel through mutual agreement with the Respondents, shall be subject to the following conditions and terms:

Apart from the information obtained from the accounting offices of Frank Garrett, CMA, the Respondents shall only use the disclosure material for the sole purpose of preparing for and conducting the hearing before the Commission. The Respondents shall not release the disclosure materials to any member of the public or press, with the exception of legal counsel and financial advisors to the Respondents, and of potential witnesses and expert witnesses involved in the preparation of the hearing. The Respondents shall obtain written undertakings from any individual, except legal counsel, to whom they release the disclosure materials confirming that the individual will abide by the terms of this Order.

AND IT IS FURTHER ORDERED that, in the event there are individuals not included within the scope of this Order to whom the Respondents believe it is necessary to release the disclosure materials for the purposes set out herein, the Respondents shall submit a request in writing to the Commission Secretary identifying the names of the proposed individual(s) to receive the disclosure materials along with the reasons in support of the request (with a copy of the request to the Securities Division legal counsel), for the Commission's consideration.

The Respondent's continued objection to the terms contained in the February 15, 2011 Order are summarized in Ms. Pastuch's April 29, 2011 written submission:

I must again state my objections to their extremely restrictive conditions and insist that the conditions of the release of all materials to me be amended immediately to include the ability to release any materials to any legal counsel involved in any matters concerning the Commission or to any police authorities such as the RCMP. It is our assertion that the disclosure materials contain information regarding significant criminal actions on the part of the Commission; therefore, to permit the Commission to attempt to suppress such information or prevent its release to the appropriate authorities relative to any criminal investigation would constitute obstruction of justice contrary to section 139 of the Criminal Code.

Decision Concerning Variation to the Condition Attached to the Disclosure Materials

The crux of the reasons cited by the Respondents for a variation and liberalization of the restrictive conditions attached to the disclosure materials was that they wished to provide copies of the

disclosed information to police and law enforcement authorities, on the premise that criminal charges were warranted. This is not a new reason, as it had been advanced previously by the Respondents.

The Hearing Panel should not and will not interfere with the administration of justice, particularly where criminal allegations are involved. The criminal justice system has its own processes that provide for complainants to swear out statements containing allegations based on information and belief, which the police agencies then investigate. The various statutes under which the police agencies operate, including the *Criminal Code of Canada*, provide for very substantial powers of search, seizure and investigation. The restrictive conditions imposed by the Hearing Panel in its February 15, 2011 Order cannot hamper such criminal investigations where the police agencies have determined that either further investigation or charges are warranted, given the scope of their statutory authorities and powers.

On that basis, there is no need or requirement to modify the earlier terms of the February 15, 2011 Order, and the request to vary the previous order is refused. This is a unanimous decision of the Hearing Panel.

DATED at Regina, Saskatchewan, on June 20, 2011.



Gordon D. Hamilton
Commissioner