

FINANCIAL SERVICES TRIBUNAL

IN THE MATTER OF the *Insurance Act*, R.S.O. 1990, c. 18, as amended (the “*Act*”);

AND IN THE MATTER OF a Decision and Order dated February 18, 2011 of the Executive Director Licensing and Market Conduct Division of the Financial Services Commission by delegated authority from the Superintendent of Financial Services (the “Superintendent”), revoking the life insurance agent licence of Jacob Enord Alexandre;

AND IN THE MATTER OF a Notice of Appeal in accordance with the section 17(1) of the *Act* filed by Jacob Enord Alexandre (the “Appellant”).

B E T W E E N:

JACOB ENORD ALEXANDRE

Appellant

- and -

SUPERINTENDENT OF FINANCIAL SERVICES

Respondent

BEFORE:

Ralph Scane
Member of the Tribunal and Chair of the Panel

DATE HEARD:

May 13, 2011

MEMORANDUM and ORDER

INTRODUCTION

This pre-hearing conference, which continues a pre-hearing conference held on April 26, 2011, took place by teleconference on May 13, 2011, at 9:30 a.m. Ralph Scane, Member of the Financial Services Tribunal, presided as Chair of the PHC. The following parties were present or represented by counsel:

The Appellant: Mr. J.E. Alexandre (the Appellant)
Mr. Raz was also in attendance to assist the Appellant.

The Superintendent of Financial Services (the Superintendent): Mr J. Nemet

Mr. Nemet advised that he had received the affidavits of the Appellant and Mr. Raz contemplated at the former pre-hearing conference and that the Superintendent had agreed to accept them for the purposes of this appeal.

Mr. Nemet stated that he would consent to an order of the Tribunal rescinding the Decision and Order, dated February 18, 2011, of the Superintendent's delegate, which revoked the life insurance agent licence of the Appellant. It was understood that the said affidavits and the Appellant's letter of December 16, 2010, attached to the Notice of Appeal herein, would be placed before the Superintendent's delegate for reconsideration of whether the Appellant's licence, revived by the rescinding of the existing Decision and Order, should be again revoked. If so, this would be a fresh procedure, and the Appellant would have the right to launch a fresh appeal. It was agreed that it would be helpful in future proceedings involving the Appellant's licence if Mr. Raz would send Mr. Nemet a letter outlining the status of the Appellant's errors and omissions insurance upon the rescinding of the Decision and Order dated February 18, 2011.

Upon consent of the parties, the Chair made the following order on behalf of the Tribunal.

ORDER

On consent of the parties, the Decision and Order, dated February 18, 2011, of the Executive Director Licensing and Market Conduct Division of the Financial Services Commission by delegated authority from the Superintendent of Financial Services, revoking the life insurance agent licence of Jacob Enord Alexandre is hereby rescinded.

Dated at Toronto, Ontario, this 17th day of May, 2011.

"Ralph Scane"
Ralph Scane
Member of the Tribunal and Chair of the Panel