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Discipline

Discipline Penalties imposed on Anthony Alex Guidoccio – Violations of By-laws 29.1, 18.4 and 18.5

Person Disciplined	The Ontario District Council of the Investment Dealers Association of Canada has imposed discipline penalties on Anthony Alex Guidoccio. At the time in question, Mr. Guidoccio was a Branch Manager with Midland Walwyn Capital Inc., or its predecessor Midland Doherty Ltd., Members of the Association ("the Member").
By-laws, Regulations, Policies Violated	<p>On June 6, 2001, the Ontario District Council considered, reviewed and accepted a settlement agreement negotiated between Mr. Guidoccio and staff of the Enforcement Division of the Association.</p> <p>Pursuant to the settlement agreement, Mr. Guidoccio admitted that he engaged in business conduct or practice, which is unbecoming or detrimental to the public interest. He participated in the sale of units of retirement home limited partnerships in which he had an interest, and which were not approved for distribution by the Member, to clients of the Member, without the knowledge and approval of the Member. This was contrary to By-Law 29.1 of the Association.</p> <p>Mr. Guidoccio also failed to submit to the Association a written report setting out that he was the manager of one or more of the retirement homes, contrary to By-Law 18.4 of the Association. Finally, he failed to obtain regulatory permission to be manager of one or more of the retirement homes, contrary to By-Law 18.5 [formerly By-law 18.14] of the Association.</p>
Penalty Assessed	The discipline penalty assessed against Mr. Guidoccio is a bar on his approval as a Branch Manager for a period of two years, which two-year period has been deemed to run from February 1999 to January 2001. Mr. Guidoccio has re-written the exams and otherwise completed both the <i>Conduct & Practices Course</i> and the <i>Branch Managers Course</i> . He has also been subject to supervision from February 1999 to present. In addition, the District Council ordered that Mr. Guidoccio is required to

pay \$5,000.00 towards the Association's costs of investigating this matter.

Summary
of Facts

In the late-1980s and mid-1990s, while a Branch Manager with the Member, Mr. Guidoccio became involved in retirement home developments. These developments were structured as limited partnerships. Mr. Guidoccio co-owned or managed three such developments. Investors interested in these developments approached Mr. Guidoccio and purchased limited-partnership units. Approximately twelve of the investors had accounts with the Member, however, the purchase transactions did not take place through accounts with the Member.

Beginning in 1994, Mr. Guidoccio disclosed to his supervisors and Member compliance personnel that he owned or intended to own the retirement homes. However, Mr. Guidoccio did not make adequate disclosure to the Member. Mr. Guidoccio failed to disclose that the developments were structured as limited partnerships, and that some clients of the Member were among the investors.

Due to his inadequate disclosure, Mr. Guidoccio did not obtain the approval of the Member to engage in the above activities, and his conduct amounted to "outside dealing", a breach of By-law 29.1 of the Association. As well, his conduct breached Association rules requiring that full details of any outside business or employment for gain be filed with the Association, and that the permission of regulators be obtained to engage in such activity.

Mr. Guidoccio is currently a Registered Representative with National Bank Financial Inc., a Member of the Association.

Susanne M. Barrett
Association Secretary