

ALBERTA SECURITIES COMMISSION

INTERIM ORDER – VARIATION

Citation: Re Black Box Management Corp., 2024 ABASC 54

Date: 20240403

**Black Box Management Corp., Invader Management Ltd.,
and Craig Michael Thompson**

Background

1. Following an application by staff (**Staff**) of the Alberta Securities Commission (the **Commission**) pursuant to ss. 33 and 198 of the *Securities Act* (Alberta) (the **Act**), on October 27, 2023, a Commission hearing panel issued an interim order against Black Box Management Corp., Invader Management Ltd., and Craig Michael Thompson (the **Respondents**), cited as *Re Black Box Management Corp., 2023 ABASC 144* (the **Interim Order**).
2. The Interim Order prohibited the Respondents from engaging in certain capital market activities until 6:00 p.m. (MST) on October 27, 2024. In addition, the Interim Order provided at paragraph 6(f) that:

until a Notice of Hearing arising from [Staff's investigation into the Respondents' conduct (the **Investigation**)] is issued, the Interim . . . Order Notice of Hearing, the affidavits filed in support of Staff's application, and all other evidence admitted at the hearing of Staff's application must remain confidential and must not be divulged except in accordance with section 45 of the Act.
3. On March 28, 2024, Staff issued a Notice of Application seeking:

a variation of paragraph 6(f) of the Interim Order pursuant to section 214(1) of the [Act], so that the affidavits and other materials filed in support of the Interim Order remain confidential until the Interim Order expires at 6:00 p.m. (MST) on October 27, 2024.
4. The Notice of Application states *inter alia* that:
 - (a) Staff anticipate that the Executive Director of the Commission will issue a Notice of Hearing arising from the Investigation (the **Merits Notice of Hearing**) imminently;

- (b) after the Merits Notice of Hearing is issued, Staff anticipate that they will receive instructions to make a further application for an extension of the Interim Order until the conclusion of the merits hearing; and
 - (c) the Respondents' counsel has consented to Staff's application for the variation described herein.
5. The Commission has received and considered Staff's Notice of Application, as well as the parties' agreement that the application may be addressed in writing, without an oral hearing.

Order

6. Considering that: (i) s. 45 of the Act provides that "[a]nything acquired and all information or evidence obtained pursuant to an investigation is confidential and shall not be divulged" except in certain circumstances, (ii) the Respondents have consented to the order sought, and (iii) it is in the public interest to make this order, the Commission orders under s. 214 of the Act and s. 11.1(b) of Commission Rule 15-501 *Rules of Practice and Procedure for Commission Proceedings* that:

until 6:00 p.m. (MST) on October 27, 2024, the affidavits and any other evidence filed in support of Staff's application for the Interim Order must remain confidential and must not be divulged except in accordance with s. 45 of the Act.

7. This order takes effect immediately.

April 3, 2024

For the Commission:

"original signed by"
Tom Cotter

"original signed by"
Kari Horn