



Ontario  
Securities  
Commission

Commission des  
valeurs mobilières  
de l'Ontario

P.O. Box 55, 19<sup>th</sup> Floor  
20 Queen Street West  
Toronto ON M5H 3S8

CP 55, 19<sup>e</sup> étage  
20, rue queen ouest  
Toronto ON M5H 3S8

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**IN THE MATTER OF THE SECURITIES ACT  
R.S.O. 1990, c. S.5, AS AMENDED (the “Act”)**

**AND**

**IN THE MATTER OF**

**CHRISTIAN JAGERHOFER, PETER LUKESCH, COLIN HALANEN AND  
CLAUDE AYACHE (the “Respondents”)**

**NOTICE OF TEMPORARY ORDER AND HEARING**  
**(Subsection 127(9))**

**WHEREAS** the Director made an order under paragraph 2 of subsection 127(1) and subsection 127(5) of the Act on the 3rd day of May, 2005 (the “Temporary Order”), a copy of which is attached, that all trading, whether direct or indirect, by each of Christian Jagerhofer, Peter Lukesch, Colin Halanen and Claude Ayache (individually, a “Respondent” and collectively, the “Respondents”) in securities of **FOCCINI INTERNATIONAL INC.** (the “Reporting Issuer”) cease for a period of fifteen days from the date of the Temporary Order;

**AND WHEREAS** the Temporary Order was made because the Reporting Issuer failed to file:

- its audited annual statements for the year ended December 31, 2004 as required under Ontario securities law (the “Default”);

**AND WHEREAS** the Temporary Order was made because the Director was of the opinion that the length of time required to conclude a hearing could be prejudicial to the public interest;

**AND WHEREAS** the Director may revoke the Temporary Order within the fifteen-day period if the Reporting Issuer remedies the Default to the satisfaction of the Director;

**AND WHEREAS** a true copy of this Notice of Temporary Order and Hearing was served this day to the Respondents;

**TAKE NOTICE** that, if the Default continues, a hearing will be held pursuant to section 127 of the Act (a “Hearing”) to consider whether an order should be made under paragraph 2 of section 127(1) of the Act that all trading, whether direct or indirect, in securities of Foccini

International Inc. by any of the Respondents cease permanently or for such period as is specified in the order by reason of the continued Default;

**AND FURTHER TAKE NOTICE** that if a Respondent intends to attend at the Hearing, the Respondent must notify the Director of the Respondent's intention to attend in writing, within seven days from the date of service of this Notice;

**AND FURTHER TAKE NOTICE** that where a Respondent has so notified the Director that the Respondent intends to be present at the Hearing, then the Hearing will be held, with respect to that Respondent only, before the Commission pursuant to section 127 of the Act at 20 Queen Street West, 17<sup>th</sup> Floor, Toronto, Ontario at a date and time to be determined, which shall be within 15 days of the date of the Temporary Order;

**AND FURTHER TAKE NOTICE** that if a Respondent has notified the Director that the Respondent intends to be present at the Hearing and a party fails to attend the Hearing before the Commission, the Hearing may proceed without that party and such party will not receive further notice of the proceedings;

**AND FURTHER TAKE NOTICE** that if a Respondent fails to notify the Director within seven days from the date of this Notice that the Respondent intends to be present at the Hearing, then the Hearing will be held before the Director with respect to the Respondent, without the Respondent pursuant to section 127 of the Act at 20 Queen Street West, 16<sup>th</sup> Floor commencing on 16<sup>th</sup> day of May, 2005 at 10:00 a.m., or as soon as possible after that time, and the Respondent will have no opportunity to attend and make submissions at the Hearing;

**AND FURTHER TAKE NOTICE** that the Director may extend the Temporary Order under subsection 127(7) of the Act until the Hearing is concluded or under subsection 127(8) of the Act if satisfactory information is not provided to the Director within the fifteen day period.

**DATED** at Toronto this 3rd day of May, 2005.

Ontario Securities Commission

*"Charlie MacCready"*

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Charlie MacCready, Corporate Finance

CC: Equity Transfer Services Inc.



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**IN THE MATTER OF**

**CHRISTIAN JAGERHOFER, PETER LUKESCH, COLIN HALANEN AND  
CLAUDE AYACHE**

**TEMPORARY ORDER**

**(Paragraph 127(1)2 and Subsection 127(5))**

**WHEREAS** Foccini International Inc. ("Foccini") is a reporting issuer in the Province of Ontario.

**AND WHEREAS** each of Christian Jagerhofer, Peter Lukesch, Colin Halanen and Claude Ayache (individually, a "Respondent" and collectively, the "Respondents") is, or was, at some time since the end of the period covered by the last financial statements filed by Foccini, namely, September 30, 2004, a director, officer or insider of Foccini and during that time had, or may have had, access to material information with respect to Foccini that has not been generally disclosed.

**AND WHEREAS** Foccini failed to file its audited annual statements for the year ended December 31, 2004 as required under Ontario securities law, and has not filed such statements as the date of this order;

**AND WHEREAS** the Director is of the opinion that it is in the public interest that the Respondents cease trading in the securities of Foccini;

**AND WHEREAS** the Director is of the opinion that the length of time required to conclude a hearing could be prejudicial to the public interest;

**IT IS ORDERED** under paragraph 2 of subsection 127(1) and subsection 127(5) of the Act that, effective immediately, all direct or indirect trading by the Respondents in the securities of Foccini cease for a period of 15 days from the date of this order;

**DATED** at Toronto, this 3rd day of May, 2005.

Ontario Securities Commission

*“Charlie MacCready”*

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Charlie MacCready, Corporate Finance