

## **AMF SUES JACQUES DUCHASTEL AND DANIEL BOIVIN AND SEEKS \$144,000 IN FINES**

**Montréal, September 30, 2009** – The *Autorité des marchés financiers* (AMF) has launched penal proceedings against Jacques Duchastel and Daniel Boivin<sup>1</sup> in the Court of Québec (Criminal and Penal Division), district of Montréal, and is seeking \$144,000 in fines.

### **Fines of \$84,000 against Jacques Duchastel**

Jacques Duchastel, a lawyer from the Montréal region, is alleged to have solicited potential investors in November 2008 through e-mails for the purpose of financing proceedings to recover his professional fees in the amount of approximately \$250,000. He thus illegally acted as a dealer by offering investors an instrument evidencing a loan of money that was not covered by a prospectus approved by the AMF. The AMF has filed six charges for illegal practice and is seeking \$4,000 for each offence, for a total of \$24,000. It has also filed six charges for illegal distribution and is seeking \$10,000 for each offence, for a total of \$60,000.

### **Fines of \$60,000 against Daniel Boivin**

To help attract investors, Jacques Duchastel is alleged to have claimed that, in exchange for their financial backing, they would hold a first movable hypothec managed by 4391934 Canada inc., also known as Boivin inc., which is the private management company of Daniel Boivin. He is a former securities dealer who was struck off the roll for a period of 10 years in 2003. The AMF has filed six charges against Daniel Boivin for aiding Jacques Duchastel with illegal distributions and is seeking fines totalling \$60,000.

The AMF is seeking fines in this matter that are double the minimum penalty prescribed under the *Securities Act*. In determining the fines being sought, the AMF took into account in particular the objective and subjective seriousness of the offences as well as exemplary reasons. In the case of Daniel Boivin, it also took his record into account.

Based on the investigation conducted into this matter, investors did not incur any losses since none of them accepted any proposed investments.

The AMF wishes to point out that a loan of money is a form of investment that must be covered by a prospectus pursuant to section 11 of the Act where such a loan does not constitute an isolated transaction for the borrower and the lender.

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<sup>1</sup> The respondent Daniel Boivin is not to be confused with Daniel Boivin the damage insurance representative attached to Promutuel in Rigaud, who holds certificate no. 103 820 and who is not the subject of any proceedings.

The *Autorité des marchés financiers* (AMF) is the regulatory and oversight body for Québec's financial sector.

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