

SUMMARY OF SANCTION AGREEMENT LYLE D. MICHALUK

On April 16, 2018, the Complaints Inquiry Committee approved and accepted a sanction agreement pursuant to the provisions of s. 74 of the *Chartered Professional Accountants Act*.

Under that agreement Lyle Dennis Michaluk, admitted to the allegations of unprofessional conduct in that, he:

1. Based on the information available to him at the time and in reliance upon third parties, authorized, permitted or acquiesced in the breach by P... of its periodic disclosure reporting obligation to file an interim financial report for the third quarter of 2012 prepared in accordance with Generally Accepted Accounting Principles (“GAAP”);
2. Based on the information available to him at the time and in reliance upon third parties, breached section 5.1 of National Instrument 52-109 *Certification of Disclosure in Issuers’ Annual and Interim Filings* by:
 - a. executing and filing an interim certificate for the third quarter of 2012 that erroneously affirmed the Q3 Financial Statements fairly presented in all material respects the financial condition, financial performance, and cash flows of P...; and
 - b. executing and filing interim certificates for the first, second, and third quarters of 2012 that erroneously affirmed he had designed ICFR [internal controls over financial reporting], or caused it to be designed under his supervision, that would provide reasonable assurance regarding the reliability of financial reporting and the preparation of financial statements for external purposes in accordance with P...’s GAAP.

All of which is contrary to the provisions of the *Chartered Professional Accountants Act*, SA 2014, c. C-10.2, or the regulations, by-laws, Rules of Professional Conduct enacted pursuant thereto or standards of practice, constituting unprofessional conduct.

AND, Lyle Dennis Michaluk and the Complaints Inquiry Committee agreed that the sanctions to be imposed in consequence thereof will be:

1. Suspension of the registration of Lyle Michaluk for a period of 3 years effective April 26, 2017;
2. payment of costs of the investigation, hearing and compliance with the orders to a maximum of \$30,000, in accordance with bylaw 1601, within 90 days of the issuance of the statement of costs;
3. mandatory publication pursuant to section 98 of the CPA Act and bylaws 1550-1557.
4. publication of a summary of the decision of unprofessional conduct in the *Calgary Herald* and the *Globe and Mail*.
5. if Lyle Michaluk fails to comply with these orders within the time specified, his registration will be cancelled.

Discipline Tribunal Secretary
April 2018