



CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO

CHARTERED PROFESSIONAL ACCOUNTANTS OF ONTARIO ACT, 2017

TO: Joern Scholz (Suspended)

AND TO: The Discipline Committee of CPA Ontario

The Professional Conduct Committee of CPA Ontario hereby makes the following Allegations of professional misconduct against Joern Scholz, a member of CPA Ontario:

1. THAT the said Joern Scholz, on or about April 13, 2019 was convicted of the criminal offence of fraud, contrary to section 380(1)(a) of the Criminal Code of Canada, as set out in Schedule "A" attached and did thereby fail to act in a manner which will maintain the good reputation of the profession and its ability to serve the public interest, contrary to Rule 201.1 of the CPA Ontario Code of Professional Conduct.

Dated at Toronto, Ontario, this 21 day of January, 2022.


B. Gardiner, CPA, CGA – DEPUTY CHAIR
PROFESSIONAL CONDUCT COMMITTEE

Schedule "A"

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LE SOEUR DE CETTE COUR

SUPERIOR COURT OF JUSTICE

THIS 24th DAY OF MARCH 2020

FAIT LE 24th DAY OF MARCH 2020

[Signature]
REGISTRAR / GREFFIER
COURT OF APPEAL FOR ONTARIO
COUR D'APPEL DE L'ONTARIO

CANADA)
PROVINCE OF ONTARIO)
CITY OF HAMILTON)
CENTRAL SOUTH REGION)

HER MAJESTY THE QUEEN

AGAINST

JOERN (JOHN) SCHOLZ

JOERN (JOHN) SCHOLZ stands charged:

1. **THAT HE, Joern (John) Scholz** on or between the 31st day of December, 2010, and the 1st day of July, 2016, at the City of Hamilton, and elsewhere in Canada, unlawfully did defraud the Public and/or financial investment institutions, of property, money or other valuable security, by deceit, falsehood or other fraudulent means, to wit: by fraudulently misrepresenting his involvement in Red Hill Capital Inc., Northland Capital Inc., or Wellington Finance Inc., or by fraudulently misrepresenting investments in Red Hill Capital Inc., Northland Capital Inc. or Wellington Finance Inc., or by fraudulently misrepresenting the RRSP or LIRA eligibility of investments in Red Hill Capital Inc., Northland Capital Inc., or Wellington Finance Inc., or by fraudulently diverting property, or money or other valuable security, of a value exceeding five thousand dollars, contrary to section 380(1)(a) of the *Criminal Code of Canada*.
2. **AND FURTHER THAT he, Joern (John) Scholz**, on or between the 31st day of December, 2010 and the 1st day of July, 2016, at the City of Hamilton, and elsewhere in Canada, unlawfully did, by deceit, falsehood or other fraudulent means, defraud the Government of Canada of monies in excess of five thousand dollars, to wit: tax payable to the Government of Canada related to the registered plans of investors of Northland Capital Inc. and/or Red Hill Capital Inc., thereby committing an offence contrary to Section 380(1)(a) of the *Criminal Code of Canada*.
3. **AND FURTHER THAT he, Joern (John) Scholz**, on or between the 31st day of December, 2010 and the 1st day of July, 2016, at the City of Hamilton, and elsewhere in Canada, unlawfully did, by deceit, falsehood or other fraudulent means, defraud the Government of Canada of monies in excess of five thousand dollars, to wit: income tax and GST/HST payable to the Government of Canada by Joern (John) Scholz for the years 2011 to 2015 inclusive, thereby committing an offence contrary to Section 380(1)(a) of the *Criminal Code of Canada*.

Dated at the City of Hamilton this 16th day of January, 2019.



Kathy Malkovich

Assistant Crown Attorney for the City of
Hamilton and Agent of the Attorney General
for the Province of Ontario



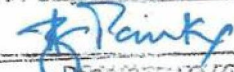
Concetta (Connie) Zary

Counsel for the Attorney General of Canada
Conseiller juridique du procureur general du
Canada

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LE SCÉAU DE CETTE COUR

THIS: 24th DAY OF March 2020

BY: Alexa Paeuk 2020



CLERK OF THE COURT
CLERK OF APPEALS FOR ONTARIO
CLERK D'APPEL DU ONTARIO

(CRIMINAL)

ENDORSEMENT

**JORDAN DATE: September 1, 2019

HMQ vs. Joern (John) SCHOLZ
(accused)

CROWN: K. Malkovich & C. Zary

DEFENCE COUNSEL: J. Berkes

DESIGNATION FILED:

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[Signature]
REGISTRAR / GREFFIER

COURT OF APPEAL FOR ONTARIO
COUR D'APPEL DE L'ONTARIO

DATE:

MAR 11 2019

1. Upon arraignment the accused, Joern Scholz, pleads Not Guilty to Counts 1, 2, or 3. (William Key)
Adj: March 12th / 2019.

MAR 12 2019

ORDER: THE JURY IN THIS CASE SHALL BE PAID
\$40.00 (per day per juror) for each day that
the jury sits. Furthermore the jury shall
be paid every two weeks for the duration
of the trial. Commencing MAR. 13/2019
SEE ATTACHED ORDER.

[Signature]
MR JUSTICE AS. GOODMAN, J

ORDER: Witness Exclusion Order is hereby made
with the exception of Danielle Mpisin at the
request of the Crown.

[Signature]
MR JUSTICE GOODMAN

Adj: March 13th / 2019 @ 10:00 am

MAR 13 2019

Adj: March 14th / 2019 @ 10:00 am

MAR 14 2019

Adj: March 15th / 2019 @ 10:00 am

MAR 15 2019

Adj: March 18th / 2019 @ 10:00 am

MAR 18 2019

Adj: March 19th / 2019 @ 9:30Adj: March 20th / 2019 @ 10:00

(CRIMINAL)

ENDORSEMENT

**JORDAN DATE: September 1, 2019

HMQ vs. Joern (John) SCHOLZ
(accused)

CROWN: K. Malkovich & C. Zary

DEFENCE COUNSEL: J. Berkes

DESIGNATION FILED:

DATE
MAR 20 2019

Adj: March 21st / 2019 @ 10:00 am.

MAR 21 2019

Adj: March 22 / 2019 @ 10:00 am.

MAR 22 2019

Adj: March 25th / 2019 @ 10:00 am.

MAR 23 2019

Adj: March 26th / 2019 @ 10:00 am.

MAR 24 2019

Adj: March 28th 2019 @ 10 am

MAR 26 2019

Adj: March 29th 2019 @ 10:00 am.

MAR 28 2019

Adj: April 1st / 2019 @ 10:00 am.

MAR 29 2019

Adj: April 2nd / 2019 @ 10:00 am.

MAR 30 2019

Adj: April 3rd / 2019 @ 10:00 am

MAR 31 2019

Adj: April 4th / 2019 @ 14:00 pm

APR 01 2019

Adj: April 9th 2019 @ 12:00

APR 02 2019

Adj: April 10, 2019 @ 9:30 am

APR 03 2019

Adj: April 11, 2019 @ 9:30 am

APR 04 2019

Adj: April 12, 2019 @ 9:30 am

APR 05 2019

Adj: April 13, 2019 @ 10:00 am.

APR 06 2019

Verdict: Count #1 - Not Guilty

APR 07 2019

Count #2 - Not Guilty

APR 08 2019

Count #3 - Guilty

APR 09 2019

Adjournd to May 17/19th at 9:00 am A/C to set a date

APR 10 2019

for sentencing @ 9:00 am

APR 11 2019

APR 12 2019

APR 13 2019

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FILED ALBA PARUK 20 20

REGISTRAR / GREFFIER
COURT OF APPEAL FOR ONTARIO
COUR D'APPEL DE L'ONTARIO

(CRIMINAL)

ENDORSEMENT****JORDAN DATE: September 1, 2019**

HMQ vs. Joern (John) SCHOLZ
(accused)

CROWN: K. Malkovich & C. Zary

DEFENCE COUNSEL: J. Berkes

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REGISTRAR / GREFFIER
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COUR D'APPEL DE L'ONTARIO

May 17/19

Sentencing set for June 17-19/2019

Wickham

June 17 2019

Adj. June 17th / 2019 @ 10:00

JUN 18 2019

Adj. Sept. 27th / 2019 @ 10:00 am.


JUN 26 2019

For oral and written reasons provided to the parties.

The accused is sentenced on Count #3 to
2 years less 1 day conditional sentence, to
be served in the community, with 200 hours
of community service and other terms incl. house arrest (curfew)

Further, the accused is Fined \$455,789⁰⁰
plus a Victim Surcharge of 10% to be levied
Given Time to Pay fine and surcharge is
18 months.

Order to Return Made


The Honourable Justice: A. Gaudreau