

**DISCIPLINE COMMITTEE
OF THE ONTARIO COLLEGE OF TEACHERS**

IN THE MATTER OF the *Ontario College of Teachers Act, 1996*, and the Regulation (Ontario Regulation 437/97) thereunder;

AND IN THE MATTER OF a discipline proceeding against Michael Stanley Aubé, a member of the Ontario College of Teachers.

PANEL: Danny Anckle, Chair
 Alexander Bass, OCT
 Hanno Weinberger, OCT

BETWEEN:	)	Eli Mogil,
	)	McCarthy Tétrault LLP,
	)	for Ontario College of Teachers,
ONTARIO COLLEGE OF TEACHERS	)	assisted by Daniela De Bartolo,
	)	Litigation Paraprofessional
- and -)	
)	
MICHAEL STANLEY AUBÉ	)	Michael Stanley Aubé,
(CERTIFICATE #288021)	)	on his own behalf, was not present
)	
)	
	)	Julie Maciura,
	)	Steinecke Maciura LeBlanc,
	)	Independent Legal Counsel
)	
	)	Heard: March 24, 2011

DECISION ON MOTION

Counsel for the College brought a motion to seek leave from the Committee to withdraw the allegations set out in the *Notice of Hearing* dated August 13, 2008.

Michael Stanley Aubé was not in attendance.

College counsel advised that after the matter was referred to the Discipline Committee, medical information was received. In light of this medical information, Counsel submitted that a more appropriate resolution of this matter would be within the purview of the Fitness to Practise Committee. Counsel sought permission to withdraw the Notice of Hearing before the Discipline Committee. The Committee was advised that the matter would be referred to the Executive Committee for consideration. The Executive Committee has the authority to refer this matter to the Fitness to Practise Committee.

Having considered the submissions of College Counsel, and upon the consent of the parties, the Committee authorizes the College to withdraw the allegations of professional misconduct against Michael Stanley Aubé set out in the *Notice of Hearing* dated August 13, 2008.

Date: March 24, 2011

Danny Anckle, Chair
Chair, Discipline Panel

Alexander Bass, OCT
Member, Discipline Panel

Hanno Weinberger, OCT
Member, Discipline Panel