

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

**IN THE MATTER OF** *the Ontario College of Teachers Act, 1996, S.O. 1996, c. 12 and the Regulation (Ontario Regulation 437/97) thereunder;*

**AND IN THE MATTER OF** discipline proceedings against  
Eric Andrew Smeaton, a member of the Ontario College of Teachers.

PANEL:       Brent Hamelin (Chair)  
                  Rosemary Fontaine  
                  Rollande Lavictoire

BETWEEN:	)	
	)	
	)	Brian Wasyliv,
	)	McCarthy Tétrault LLP,
ONTARIO COLLEGE OF TEACHERS	)	for Ontario College of Teachers,
	)	assisted by Trevor Evans,
	)	Senior Law Clerk
- and -	)	
	)	
	)	David Bloom,
	)	Cavalluzzo Hayes Shilton
ERIC ANDREW SMEATON	)	McIntyre & Cornish LLP,
(CERTIFICATE #417558)	)	for Eric Andrew Smeaton
	)	
	)	
	)	Johanna Braden,
	)	Stockwoods LLP,
	)	Independent Legal Counsel
	)	
	)	Heard: December 19, 2007

**REASONS FOR DECISION AND 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 8, 2007.

Eric Andrew Smeaton was not in attendance.

Independent legal counsel advised the Committee that it had jurisdiction to make the order requested, pursuant to section 4.1 of the *Statutory Powers Procedure Act*, which provides that if the parties consent, a proceeding may be disposed of by a decision of the Committee without a hearing.

Having considered the submissions of College Counsel and Counsel for the Member and upon the consent of the parties, the Committee authorizes the College to withdraw the allegations of professional misconduct against Eric Andrew Smeaton as set out in the *Notice of Hearing* dated August 8, 2007.

Date: December 19, 2007

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Brent Hamelin  
Chair, Discipline Panel

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Rosemary Fontaine  
Member, Discipline Panel

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Rollande Lavictoire  
Member, Discipline Panel