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Superintendent of
Financial
Services



Surintendant des
services
financiers

IN THE MATTER OF the *Pension Benefits Act*, R.S.O. 1990, c. P.8, as amended (the “PBA”)

AND IN THE MATTER OF a Notice of Intended Decision of the Superintendent of Financial Services to Refuse to Make an Order under sections 87(2)(a), (b), (c) and 18(1)(e) of the *PBA* relating to the WABCO Retirement Plan, Registration Number 0563932

TO:

**Wabco Freight Car Products Ltd.,
a Division of Wabtec Canada Inc.**
P.O. Box 2050
Hamilton, ON L8N 3T5

Attention: Cheryl Strongman
Manager, Employee Relations

Employer and Administrator of the Plan

AND TO:

P.K. and E.S.

Members of the Plan

ORDER

ON OR ABOUT May 31, 2012, the Superintendent of Financial Services (the “Superintendent”) issued a Notice of Intended Decision (the “NOID”) to P.K. and E.K. and to Wabco Freight Car Products Ltd., intending to refuse to make an Order under sections 87(1)(2)(a), (b), (c), and 18(1)(e) of the *PBA* in relation to Amendment #9 to the WABCO Retirement Plan, Registration Number 0563932.

A REQUEST FOR HEARING before the Financial Services Tribunal (the “Tribunal”) was filed by P.K. and E.K. on June 29, 2012.

ON June 7, 2012, Amendment #10 to the Plan was registered. No hearing request was filed with respect to the registration of Amendment #10.

ON March 21, 2013, the request for a hearing was withdrawn by P.K. and E.K.

ON March 22, 2013, the Tribunal closed its file.

ON March 21, 2013, Minutes of Settlement were signed by the Superintendent, P.K., E.K., and Wabco Freight Car Products Ltd., in which it was agreed that Wabco Freight Car Products Ltd. would provide a written notice to all members of the Plan who are affected by Amendment #9 or Amendment #10 to the Plan that the hearing request had been withdrawn. The Minutes of Settlement provide that the notice would state that unless any written claims, objections or concerns were filed with the Superintendent within 30 days from the date of the notice, the Superintendent would issue a final Order confirming that the registration of Amendment #9 and Amendment #10 to the Plan was not revoked.

ON May 7, 2013, Wabco Freight Car Products Ltd. provided the notice pursuant to the Minutes of Settlement.

NO written claims, objections, or concerns have been filed with the Superintendent as of the date of this Order.

For the reasons set out in the NOID, **I ORDER** that the registration of Amendment #9 and Amendment #10 to the Plan is not revoked.

DATED at Toronto, Ontario, this **18th** day of **June, 2013**.

Original Signed By

Brian Mills
Acting Deputy Superintendent, Pensions

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