

## Disclaimer

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Superintendent of  
Financial  
Services



Surintendant des  
services  
financiers

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

**AND IN THE MATTER OF** of a Notice of Intended Decision of the Superintendent of Financial Services to make an Order under section 69 of the *PBA*, respecting **The Pension Plan for Employees of Sun Pac Foods Limited** Registration Number **0368381**

### TO:

Ms. Sharon Carew  
Principal  
Mercer (Canada) Limited  
161 Bay Street, P.O. Box 501  
Toronto, ON M5J 2S5

Administrator

### AND TO:

Mr. Garth Rombough  
Vice President, Finance  
Sun Pac Foods Limited  
10 Sun Pac Boulevard  
Brampton, ON L6S 4R5

Employer

### AND TO:

Mr. Gary Cerrato, CIRP  
Vice President  
BDO Canada Limited  
123 Front Street West, Suite 1200  
Toronto, ON M5J 2M2

Receiver

**NOTICE OF INTENDED DECISION**

**I INTEND TO MAKE AN ORDER** under section 69 of the *PBA* that **The Pension Plan for Employees of Sun Pac Foods Limited**, Registration Number **0368381** (the “Plan”) be wound up effective **November 12, 2013**.

**I INTEND TO MAKE THE ORDER FOR THE FOLLOWING REASONS:**

**The employer failed to make contributions to the pension fund as required by the *PBA*.**

**All or a significant portion of the business carried on by the employer at a specific location was discontinued.**

**Such further and other reasons as may come to my attention.**

**YOU ARE ENTITLED TO A HEARING** by the Financial Services Tribunal (the “Tribunal”) pursuant to section 89(6) of the *PBA*. **To request a hearing, you must deliver to the Tribunal a written notice that you require a hearing, within thirty (30) days after this Notice of Intended Decision is served on you.**<sup>1</sup>

**YOUR WRITTEN NOTICE** must be delivered to:

Financial Services Tribunal  
5160 Yonge Street  
14th Floor  
Toronto, Ontario  
M2N 6L9

Attention: The Registrar

**FOR FURTHER INFORMATION** on a Form for the written notice, please see the Tribunal website at [www.fstontario.ca](http://www.fstontario.ca) or contact the Registrar of the Tribunal by phone at 416- 590-7294, toll free at 1-800-668-0128, ext. 7294, or by fax at 416-226-7750.

**IF YOU FAIL TO REQUEST A HEARING WITHIN THIRTY (30) DAYS, I MAY CARRY OUT THE INTENDED DECISION AS DESCRIBED IN THIS NOTICE.**

**DATED** at Toronto, Ontario, this **10th** day of **March, 2014**.

*Original Signed By*

Brian Mills  
Deputy Superintendent, Pensions

<sup>1</sup>*NOTE - Pursuant to section 112 of the PBA any Notice, Order or other document is sufficiently given, served or delivered if delivered personally or sent by regular mail and any document sent by regular mail shall be deemed to be given, served or delivered on the fifth day after the date of mailing.*

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