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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 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 Phibbs Incorporated**, Registration Number **0387472**.

TO:

Jan Death
Manulife Financial
Group Retirement Solutions
25 Water Street South
P.O. Box 396, Stn. KC 6
Waterloo, ON N2J 4A9

Administrator

AND TO:

Karen E. Phibbs
Plan Administrator
Phibbs Incorporated
110 Edward Street
St. Thomas ON N5P 3W8

Employer

AND TO:

Maxine Finnegan
BDO Canada Limited
103-252 Pall Mall St.
London ON N6A 5P6

Trustee in Bankruptcy

NOTICE OF INTENDED DECISION

I INTEND TO MAKE AN ORDER under section 69 of the *PBA* that the **Pension Plan for Phibbs Incorporated** Registration **0387472** (the “Plan”) be wound up effective **November 30, 2011**.

I INTEND TO MAKE THE ORDER FOR THE FOLLOWING REASONS:

The employer is bankrupt within the meaning of the Bankruptcy and Insolvency Act (Canada).

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.**¹

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 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 **7th** day of **February, 2013**.

Original Signed By

K. David Gordon
Deputy Superintendent, Pensions

¹NOTE - 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.