

## 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, (the “PBA”);

**AND IN THE MATTER** of a Notice of Intended Decision of the Superintendent of Financial Services to make an Order under section 69 of the *PBA*, respecting the **Contributory Pension Plan for Bargaining Unit Employees of Fibrex Insulations, Inc.**  
Registration Number **0353235**.

### **TO:**

Niranja S. Bahi  
Consultant  
Morneau Shepell Ltd.  
895 Don Mills Road  
Tower One, Suite 700  
Toronto ON M3C 1W3

Administrator

### **AND TO:**

Raelene Peseski  
Manager, Human Resources  
Fibrex Insulations Inc.  
561 Scott Road  
Sarnia ON N7T 7L4

Employer

### **AND TO:**

John Adamson  
Adamson & Associates Inc.  
142 Centre Street  
St. Thomas ON N5R 3A3

Trustee in Bankruptcy

### **AND TO:**

Barry E. Wadsworth  
Associate Counsel  
The National Automobile, Aerospace, Transportation & General Workers Union of Canada  
(C.A.W.), Local  
205 Placer Court  
Toronto ON M2H 3H9

Union Representative

**AND TO:**

Stephen Ferguson  
Senior Manager  
Alvarez & Marsal Canada Inc.  
Royal Bank Plaza, south Tower  
200 Bay Street, Suite 200  
Toronto ON M5J 2J1

**NOTICE OF INTENDED DECISION**

**I INTEND TO MAKE AN ORDER** under section 69 of the *PBA* that the **Contributory Pension Plan for Bargaining Unit Employees of Fibrex Insulations, Inc.**, Registration Number **0353235** (the “Plan”) be wound up effective **January 12, 2011**, and **include the class of Plan members whose employment or Plan membership terminated during the period December 24, 2010 to January 12, 2011.**

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

**There was a cessation or suspension of employer contributions to the pension fund.**

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

**A significant number of members of the pension plan ceased to be employed by the employer as a result of the discontinuance of all or part of the business of the employer or as a result of the reorganization of the business of the employer.**

**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.**

**THE ADMINISTRATOR IS REQUIRED** pursuant to section 89(5) of the *PBA* to transmit a copy of this notice to the following persons or classes of persons:

**DATED** at Toronto, Ontario, this **10th** day of **July, 2012**.

*Original Signed By*

K. David Gordon  
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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