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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 make an Order under section 69 of the PBA, respecting the **The Davidson-Port Hope Hourly-Rated Employees' Pension Plan** Registration Number **0395418**

TO:

Debbie Gallagher
Morneau Shepell Ltd.
895 Don Mills Road, Suite 700
One Morneau Sobeco Centre
Toronto ON M3C 1W3

Administrator

AND TO:

Terri Gander-Rowe
HR Manager
Collins & Aikman Canada Inc.
500 Laird Road
Guelph ON N1G 3X7

Employer

AND TO:

Stella Millis
Vice-President
Ziefman Partners Inc.
201 Bridgeland Avenue
Toronto ON M6A 1Y7

Trustee in Bankruptcy

AND TO:

Carol Kirton
Local President
United Steelworkers Local 889
102-73 Mill Street South
Port Hope ON L1A 2S8

Union Representative

NOTICE OF INTENDED DECISION

I INTEND TO MAKE AN ORDER under section 69 of the *PBA* that the **The Davidson-Port Hope Hourly-Rated Employees' Pension Plan**, Registration Number **0395418** (the "Plan") be wound up effective **March 31, 2010**.

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

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.**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 **15th** day of **June , 2012.**

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.

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