

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 **Pension Plan for Hourly
Employees of R.J. Simpson Manufacturing Company
(Canada) Ltd.**, Registration Number **0588889**

TO: Claire Mroz
PricewaterhouseCoopers Inc.
Mississauga Executive Centre
One Robert Speck Parkway, Suite 1100
Mississauga ON L4Z 3M3

Administrator

AND TO: Debbie McCarthy
Corporate Benefits Manager
Metaldyne Machining and Assembly Mfg. (Canada) Ltd.
47649 Halyard Drive
Plymouth, MI, USA
48170

Employer

AND TO: Jonathan Joffe
RSM Richter Inc.
200 King Street West, Suite 1100
Toronto, ON M5H 3T4

Trustee in Bankruptcy

AND TO: Tom Hastings
National Automobile, Aerospace, Transportation and General Workers of Canada
(CAW) Local 1738
Box 316, 100 London Road
Thamesville ON N0P 2K0

Union

NOTICE OF INTENDED DECISION

I INTEND TO MAKE AN ORDER under section 69 of the *PBA* that the **Pension Plan for Hourly Employees of R.J. Simpson Manufacturing Company (Canada) Ltd.**, Registration Number **0588889** (the “Plan”) be wound up effective **October 31, 2009**, and include the class of Plan members whose employment or Plan membership ended during the period from **August 28, 2009 to October 31, 2009**.

I INTEND TO MAKE THE ORDER FOR THE FOLLOWING REASONS:

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

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

All or part of the employer’s business or all or part of the business has been sold, assigned or otherwise disposed of and the successor employer acquiring such business or assets does not provide a pension plan for the employees also acquired.

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 18th day of April, 2011.

Brian Mills
Acting Deputy Superintendent,
Pensions

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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 seventh day after the date of mailing.