

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 a Proposal of the Superintendent of  
Financial Services to make an Order under section 69 of the *PBA*,  
respecting the **Pension Plan for Employees of the Copley  
Noyes & Randall Limited** Registration Number **0439414**

**TO:**           **David Kearney**  
Principal  
Mercer (Canada) Limited  
161 Bay Street  
P.O. Box 501  
Toronto ON M5J 2S5

Administrator

**AND TO:**   **Richard Sexton**  
Executive Vice President  
Copley Aparent Group Limited  
P.O. Box 2024  
56 York Blvd.  
Hamilton ON L8N 3S6

Employer

**AND TO:**   **S. Harlan Schonfeld**  
Schonfeld Inc.  
438 University Avenue  
21<sup>st</sup> Floor  
Toronto ON M5G 2K8

Trustee in Bankruptcy

**AND TO:**     **Dave Taylor**  
President  
International Union of Operating Engineers Local 772  
1030 Upper James Street  
Suite 401  
Hamilton ON L9C 6X6  
Union Representative

## NOTICE OF PROPOSAL

**I PROPOSE TO MAKE AN ORDER** under section 69 of the *PBA* that the **Pension Plan for Employees of the Copley Noyes & Randall Limited** (the “Plan”) be wound up effective **August 11, 2009**.

### **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.**

**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 Proposal 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

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<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 seventh day after the date of mailing.

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 PROPOSAL AS DESCRIBED IN THIS NOTICE.**

DATED at Toronto, Ontario, this **22<sup>nd</sup>** day of **October 2010**

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K. David Gordon  
Deputy Superintendent, Pensions