



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 **Daymonex Limited Hourly
Pension Plan** Registration Number **0690420**

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

Administrator

AND TO: David Holmes
President
Daymonex Limited
155 Irwin Street
Chatham ON N7M 5M5

Employer

AND TO: Rob Biehler
Senior Vice President
Deloitte & Touche Inc.
4210 King St. East
Kitchener ON N2P 2G5

Receiver

AND TO: Brian Massender
Plant Chairperson
Canadian Auto Workers (Local 127)
205 Placer Court
Toronto ON M2H 3H9

Union Representative

NOTICE OF INTENDED DECISION

I INTEND TO MAKE AN ORDER under section 69 of the *PBA* that the **Daymonex Limited Hourly Pension Plan**, Registration Number **0690420** (the “Plan”) be wound up effective **November 3, 2009**.

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*.

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.

¹

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.

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 **May, 20 11** .

Brian Mills
Acting Deputy Superintendent,
Pensions