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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 83 and 89 of the  
*PBA*, respecting the **Non-Contributory Pension Plan for  
Bargaining Unit Employees of Von Weise of Canada Company**  
Registration Number **0985952**

**TO:** Sharon Carew  
Vice President  
PriceWaterhouseCoopers Inc.  
1 Robert Speck Parkway  
Suite 1100  
Mississauga, ON L4Z 3M3

Administrator

**AND TO:** Alice Mainland  
Plant Manager  
Von Weise of Canada Company  
505 Conestoga Blvd.  
Cambridge, ON N1R 7P4

Employer

**AND TO:** Susan Taves  
Senior Partner  
BDO Canada Limited  
305 King Street West, Suite 501  
Kitchener, ON N2G 1B9

Trustee in Bankruptcy

**AND TO:** Sym Gill  
Director, Pensions  
CAW Local 1986  
520 Collier MacMillan, Unit # 15  
Cambridge, ON N1R 6R6

Union Representative

## DECLARATION

No request requiring a hearing was delivered to the Financial Services Tribunal within the time prescribed by subsection 89(6) of the *PBA* respecting a Notice of Proposal to make a Declaration that the Pension Benefits Guarantee Fund applies to **Non-Contributory Pension Plan for Bargaining Unit Employees of Von Weise of Canada Company** (the “Plan”).

I DECLARE pursuant to sections 83 and 89 of the Act that the Pension Benefits Guarantee Fund (Guarantee Fund) applies to the Plan for the following reasons:

### REASONS:

1. The Plan is registered under the *PBA*, and
2. The Plan provides defined benefits that are not exempt from the application of the Pension Benefits Guarantee Fund by the *PBA* or the Regulations made thereunder, and
3. The Plan was wound up effective **October 16, 2009**, and
4. There are reasonable and probable grounds that the funding requirements of the *PBA* and regulations cannot be satisfied. Based on the latest actuarial certification, there is an estimated claim against the Guarantee Fund of **\$5,077,229.00** as at **February 28, 2010**. If funds become available from the estate of the employer, the administrator will be required to make an appropriate refund of any allocation amount received by the Plan from the Pension Benefits Guarantee Fund

DATED at Toronto, Ontario, this 5<sup>th</sup> day of November 2010.

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Brian Mills  
Director, Pension Plans Branch  
by Delegated Authority from  
the Superintendent of Financial Services