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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 Notice of Intended Decision of the  
Superintendent of Financial Services to make an Order under  
section 69 of the *PBA*, respecting the **Collins & Aikman Canada  
Inc. Pension Plan for Port Hope Salaried Employees**  
Registration Number **0358879**

**TO:** Debbie Gallagher  
Consultant  
Morneau Shepell  
895 Don Millis Road, Suite 700  
One Morneau Sobeco Centre  
Toronto ON M3C 1W3

Administrator

**AND TO:** Terri Gander-Rowe  
Vice-President  
Collins & Aikman Canada Inc.  
500 Laird Road  
Guelph ON N1G 3X7

Employer

**AND TO:** Stella Millis  
Vice-President  
Ziefman Partners Inc.  
201 Bridgeland Ave.  
Toronto ON M6A 1Y7

Trustee in Bankruptcy

## NOTICE OF INTENDED DECISION

**I INTEND TO MAKE AN ORDER** under section 69 of the *PBA* that the **Collins & Aikman Canada Inc. Pension Plan for Port Hope Salaried Employees, Registration 0358879** (the “Plan”) be wound up effective **March 31, 2010, and include the class of Plan members whose employment or Plan membership ended during the period from July 15, 2008 to 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.**

**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.**<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 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.**

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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.

**DATED** at Toronto, Ontario, this 31<sup>st</sup> day of March, 2011.

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Brian Mills  
Acting Deputy Superintendent,  
Pensions