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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 by the Superintendent of  
Financial Services to make an Order under section 78(4) of the  
*PBA* consenting to a payment out of the **Pension Plan for Hourly  
Employees of Bata Limited -U.F.C.W. Local 175** (the Plan),  
Registration Number **0431361**.

**TO:**           **Bata Limited**  
                  **12 Concord Place, Suite 600**  
                  **Toronto, ON M3C 3R8**

**Attention:**   **David Marshall**  
                  **Vice President, Human Resources**

### **NOTICE OF PROPOSAL**

**I PROPOSE TO MAKE AN ORDER** under section 78(4) of the *PBA*, consenting to the  
payment out of the Plan to **Bata Limited**, as at **December 2, 2009** in the amount of **71,575.72**  
plus interest to the date of payment.

#### **REASONS:**

1. **Bata Limited** is the employer as defined in the Plan.
2. As a result of **the employer funding the deficit on the wind up of the Plan, there are assets remaining after all the benefits have been settled.**
3. Evidence of the overpayment to the fund has been submitted to the Financial Services Commission of Ontario.
4. 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 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 **19<sup>th</sup>** day of **March, 2010**

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K. David Gordon  
Deputy Superintendent, Pensions

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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.