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Superintendent of
Financial
Services



Surintendant des
services
financiers

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 **Pension Plan for the Employees of Komtech Enterprises Limited**, Registration Number **1046713**

TO:

Deborah Thompson
Wind-up Customer Service Specialist
Great West Life Assurance Company
255 Dufferin Avenue
London, ON N6A 4K1

Administrator

AND TO:

Hari Raghavan
Administrator
Komtech Enterprise Limited
Unit G, 925 Broock Road
Pickering ON L1W 2X9

Employer

AND TO:

Adam Erlich
Manager, Restructuring & Insolvency
The Fuller Group Landau Group Inc.
151 Bloor Street W, 12th Floor
Toronto ON M5S 1S4M

Receiver

NOTICE OF INTENDED DECISION

I INTEND TO MAKE AN ORDER under section 69 of the *PBA* that the **Pension Plan for the Employees of Komtech Enterprises Limited**, Registration **1046713** (the “Plan”) be wound up effective **September 18, 2013**.

I INTEND TO MAKE THE ORDER FOR THE FOLLOWING REASONS:

There was a cessation or suspension of employer contributions to the pension fund.

Failure of employer to make contributions to the pension fund as required by the Act or the Regulations.

A significant number of members have ceased to be employed by the employer as a result of the discontinuance or reorganization of all part of 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 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.

IF YOU FAIL TO REQUEST A HEARING WITHIN THIRTY (30) DAYS, I MAY CARRY OUT THE INTENDED DECISION AS DESCRIBED IN THIS NOTICE.

DATED at Toronto, Ontario, this 25th day of July, 2014.

Original Signed By

Brian Mills
Deputy Superintendent, Pensions

¹NOTE - 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 fifth day after the date of mailing.