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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 69 of the *PBA*,  
respecting the **Pension Plan For The Employees of MTB  
Industries Inc.** Registration Number **1077155**

**TO:** Tina Tran  
Client Service Specialist  
Sun Life Financial  
227 King Street South  
Waterloo, ON N2J 4C5

Administrator

**AND TO:** Ants Tuulas  
MTB Industries Inc.  
20 Barnes Crt, Unit ABC  
Concord, ON L4K 4L4

Employer

**AND TO:** Alvarez & Marsal Canada ULC  
Heather Chu  
c/o Fraser Milner Casgrain LLP  
First Canadian Place  
100 King Street West  
Toronto, ON M5X 1B2

Receiver

## NOTICE OF PROPOSAL

**I PROPOSE TO MAKE AN ORDER** under section 69 of the *PBA* that **Pension Plan for the Employees of MTB Industries Inc.** (the “Plan”) be wound up effective **January 31, 2009**.

### **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*.**

**The employer is bankrupt within the meaning of the *Bankruptcy Act*.**

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

**All or a significant part of the business has been discontinued at a specific location.**

**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

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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.

**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 **3<sup>rd</sup>** day of **December, 2009**

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K. David Gordon  
Deputy Superintendent, Pensions