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DEC 10 2013

Mr. Jerry Dias
National President
UNIFOR National Office
205 Placer Court
Toronto, Ontario
M2H 3H9

**Re: Cancellation of Financial Services Tribunal Hearing FST File No. P0521-2013
Navistar Canada Inc. Non-Contributory Retirement Plan Reg. No. 0351684**

Dear Mr. Dias;

Thank you for your letter describing the situation Unifor is facing with respect to the Financial Services Tribunal (FST) of the Financial Services Commission of Ontario (FSCO). It is very unfortunate that the scheduled hearing of the Navistar issue must be postponed as a result of the delay in appointing members to the FST.

According to section 6(3) of the *FSCO Act*, the Lieutenant Governor in Council shall make a minimum of six appointments, in addition to the Chair and two Vice Chairs (total of nine appointees). Without the required six appointments, the FST is not permitted to hold hearings.

Cabinet has approved additional member appointments to the FST, which are awaiting consideration by the Standing Committee on Government Agencies, in order to provide safeguards and ensure the fairest, most capable composition for the FST.

I understand that the hearing will be rescheduled as soon as possible and that, in the interim, members are receiving pension benefits. I also understand that your members' entitlement to additional benefits, as ultimately determined by the FST, will not be affected by this delay.

.../cont'd

It is very regrettable that the appointments could not be made in time for the previously scheduled Navistar hearing. I understand that this is disappointing for your members and for that I sincerely apologize. In the meantime, I would be pleased to meet with you to discuss this matter and pension issues in general.

Sincerely,



Charles Sousa
Minister

- c: The Honourable Kathleen Wynne, Premier of Ontario (sent by fax – 416 325 9895)
Andrea Horwath, Leader NDP Ontario (sent by fax – 416 325 2770)
Tim Hudak, Leader, Progressive Conservative Party Ontario (sent by fax – 416 325 0998)
Rick Nichols, MPP, Chatham-Kent (sent by fax – 416 325 9000)
Ken Lewenza, Bob Chernecki, Lewis Gottheil, Jeff Wareham, Cathy Wiebenga, Sonny Galea,
Joe Lucier, Doug Wright, Rhonda Booth, Registrar FST (sent by fax- 426 226 7750)
Alex Smith, Counsel – Navistar (sent by fax 416 865 7380)