

# CLPENS

## Newsletter

### GENERAL MEETING APRIL 27, 2005

As announced in Issue #21 of the Newsletter, CLPENS held a General Meeting on the evening of April 27<sup>th</sup> from 7 PM to 8:30 PM at the North York Royal Canadian Legion. One hundred and ninety-five (195) interested parties attended, including members from the Maritimes and Quebec.

The purpose of the meeting was to bring everyone up to date on major ongoing developments such as:

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*Late Breaking Legal Update*

### CLPENS FILES CLASS ACTION SUIT

Since the general meeting, Koskie Minsky has filed a Class Action Statement Of Claim at the request of CLPENS. It will be posted in its entirety on their web site at: <http://www.koskieminsky.com>. It should be carefully noted that the Claim seeks protection for all members of the plan and not just those in the partial plan wind up group.

### Membership Nearing 1,000!!

As of May 17, we have 922 members of whom 242 are voting members.

*President: Wib Antler      Vice President: Ed Barrett  
Secretary/Treasurer: Gary Nummelin  
Committee Members: Phil Davy, Alex Harvey, Brian Lynch, Jim Martin*

### Selection of Legal Counsel

Following the Annual General Meeting in October 2004 a legal search sub-committee was established. Its mandate was to research the expertise and track records of lawyers specializing in pension practice, anticipating that at some future point, CLPENS might need to retain legal counsel.

By March of this year the sub-committee had narrowed its search to a short list of four firms. While all had notable expertise in pension litigation, the firm of Koskie Minsky stood out as a practice that is highly successful in representing plan members as opposed to plan sponsors.

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### More Late Breaking News

Koskie Minsky has been in contact with Harrison Pensa and they have reached an agreement in principle to work as co-counselors. Mr. Marentette will become a plaintiff in CLPENS' Class Action, together with David Kidd and Alex Harvey.

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## *General Meeting (cont'd from Page 1)*

- The impending class action lawsuit recently filed by the law firm of Harrison Pensa on behalf of Mr. J.P. Marentette, a former Canada Life employee in London, Ontario.
- A membership report and update.

The minutes of the meeting are available on the web site.

Following the meeting there was an opportunity to socialize with old and new friends and to discuss issues and events important to the attendees in a more informal setting.

Feedback indicates that the evening format works best for the membership.

Therefore in the future we will plan to hold evening meetings. The Annual General Meeting will be held during the month of October at the same location and at the same time, ie 7:00 Pm until 8:30 PM.

## *Legal Arrangement (cont'd from Page 1)*

**T**hen, our sub-committee found out that on February 8, 2005 the London law firm of Harrison Pensa had filed a Statement of Claim on behalf of J.P. Marentette, an ex-employee of Canada Life in London, and a member of the Partial Plan Wind Up Group (PWUG). The plaintiff sought to have his claim certified as a class action suit on behalf of all members of the PWUG, and was suing for the PWUG's right to receive its share of the actuarial surplus. This Action did not seek to establish the rights of other members of the Plan nor to comment on expenses taken from the Plan.

**W**e feel strongly that CLPENS represents all pension plan members with an interest in the Canada Life Canadian Pension Plan. So, it became imperative to act quickly or risk losing control of our ability to press for our rights.

At this point, we entered talks with Mark Zigler of Koskie Minsky. After discussion, we retained Mr. Zigler and Koskie Minsky to represent CLPENS.

**D**avid Kidd and Alex Harvey, each a member of the partial wind up group, have generously agreed to be named plaintiffs on our behalf in our Action. Koskie Minsky has taken the case on a contingency fee basis.

At the general meeting it was moved that the selection and hiring of Koskie Minsky as our legal counsel, and the imminent filing of the Kidd-Harvey Class Action be approved. The voting members at the meeting unanimously voted in favour of the motion.

While this is a brief description of the discussion at the general meeting, there is more detail available on the web site at

<http://www.trigger.net/~cpens/GM%2005-04-27.htm>