

CLPENS

Newsletter

PROPOSAL DELAYED AGAIN

Once again, Canada Life has failed to deliver a proposal to end the current dispute by their committed date of August 11th. On August 9th, our counsel received a letter from Canada Life counsel, stating that:

“This process has taken more time than anticipated, but Canada Life continues to work diligently to provide you with a proposal to resolve the litigation before the November 15th certification hearing.”

It is our view that the continual delays in delivering a proposal for a negotiated settlement indicate that the company may have little interest in bringing this matter to a timely conclusion. Whether the delays are part of a legal strategy, or whether they are due to the company's indifference towards the members of the pension plan (in particular, those in the partial windup group), the plaintiffs and the class members are now faced with the need to resume litigation.

While the plaintiffs and the CLPENS Executive remain open to negotiation should an offer be presented in sufficient time for review, we are continuing to prepare for the November 15/16th certification hearing.

CONFIDENTIALITY AGREEMENT

Please note that Confidentiality Agreement that is referred to in Newsletter 30, which was signed by plaintiffs and the CLPENS Executive on June 10, 2006, does not take effect until and unless such time as we receive a settlement proposal from Canada Life.

*President: Wib Antler Vice President: Ed Barrett
Secretary Treasurer: Gary Nummelin
Committee Members: Phil Davy, Alex Harvey, David Kidd, Brian Lynch, Jim Martin, Shriram Mulgund, Fred Taggart*

RECENT EVENTS

Outlined below, in chronological order, is a summary of recent events:

- ◆ 2005 Dec 31 **Partial windup report due** Canada life requests extension from FSCO and is granted extension to March 31, 2006
- ◆ 2006 Feb 20 **Initial date for certification hearings of Kidd/ Harvey/ Marentette suit** On Feb 15, Canada life approached our counsel, stating that it intended to provide a comprehensive proposal by May 31, 2006 to resolve the litigation. All parties consented to reschedule the certification hearings to June 15, 2006.
- ◆ 2006 Mar 31 **Partial windup report filed with FSCO** The report does not address the surplus, which is to be dealt with through negotiation of the suit.
- ◆ 2006 May 29 **CLPENS counsel receives word that proposal will be delayed** The proposal was submitted to senior management for approval, and was to be ready within 2 weeks, before the June 15 certification hearings
- ◆ 2006 June 12 **CLPENS counsel receives word that the proposal will again be delayed** Additional time beyond what was originally anticipated is needed to complete this review. The Canada Life lawyers advised that Canada Life expects to be in a position to provide a proposal to resolve the litigation by Friday, August 11, 2006.

Continued on page 2

CLPENS Newsletter

Continued from page 1

ANNUAL MEETING

The Annual General Meeting has been scheduled for Wednesday, October 25, 2006 at 7:00 pm at

The Royal Canadian Legion
Branch 66-North York
6 Spring Garden Ave.
Willowdale, Ont

Branch 66 is located on Spring Garden Ave., two blocks north of Shepherd and Yonge St. At Spring Garden Ave. turn right (east). The Legion is the first building east of Yonge on the north side.

For those who are driving, parking is located on a strip abutting the east side of the Legion.

Following the meeting there will be an opportunity to socialize with old and new friends. We look forward to seeing many of our members on October 25th. We hope you will plan to attend.

Our lawyers will be in attendance and have agreed to update the membership on the legal status and the possible future events.

The main focus of the meeting will be to answer questions from the membership. If there are few questions, we expect it will be a very short meeting with extra time for socializing.

Proxy forms will be sent out to voting members in September.

◆ 2006 June 15 **Certification hearings postponed** All parties consented to reschedule the certification hearings to November 15/16, 2006, to give the parties 60 days to explore a resolution.

◆ 2006 Aug 9 **Proposal delayed yet again** Once again, Canada Life advises that additional time is needed. This time, no target date is provided for a proposal except to say that it will be before the certification hearings scheduled for November 15 and 16, 2006.

MEMBERSHIP

We still need financial support to advance this action, especially in light of the most recent developments with Canada Life. We are required to pay as incurred for any actuarial or accounting services that we receive.

Anyone wishing to become a voting member may do so by presenting a completed application form and a cheque for \$125 at the annual meeting, or by sending them to the attention of CLPENS at the address below. This amount will cover the \$100 initiation fee and the \$25 annual fee for 2006/2007.

The 2006/2007 annual \$25 fee for current voting members will be due in October 2006. This may be paid at the annual meeting, or sent by mail to the address below.

CLPENS Group
P.O. Box 37036
6502 Yonge St.
North York, Ont.
M2M 4J8

Your co-operation and support is appreciated.

NOTE: Previous newsletters are available on our website. The Group's website is www.clpens.com. If you have information or opinions to share with us send your submission to clpens@rogers.com