

Sept 27, 2012

This motion for a declaration has been
submitted on the following terms that shall be
incorporated into a court order: with FSCO

1. Canada Life may proceed to file the transfer
report concerning the transfer of the integration PNU
assets and liabilities, to the ongoing Plan ~~just~~

2. The Representative Plaintiffs shall not object to
to any such filing and transfer of assets and
liabilities, subject to paragraph 4 below;

3. If the parties do not reach an agreement
on the implementation of the surplus sharing
agreement within 45 days from today, the
court shall appoint a mediator to assist the
parties in reaching an agreement; and

4. If no agreement is reached about implementing
the surplus sharing agreement, the Representative
Plaintiffs reserve the right to take such action
as they may be advised.

Paul J.

ONTARIO

SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

MOTION RECORD OF THE PLAINTIFFS,
DAVID KIDD, ALEXANDER HARVEY AND
JEAN PAUL MARENTETTE

(Motion returnable September 27, 2012)

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