

**Update as at March 04, 2005**

AFTER Negotiating and Advisory Committee members, along with our legal team at Koskie Minsky, are very pleased to announce that an agreement in principle has been reached with National Trust establishing the framework for the negotiation of a formal surplus sharing agreement under which the actuarial surplus in The Pension Plan for Employees of National Trust Company, renamed Scotiabank Pension Plan for Former Employees of National Trust Company (the "Plan") can be shared.

By reviewing the archived updates on this website, you will see that this process began in 1999, and was highlighted by the favourable Monsanto case judgment rendered by the Supreme Court of Canada on July 29th, 2004.

While the agreement in principle contains a broad formula for surplus sharing, the lawyers and actuaries need to process more detailed data before we can quantify what this means for individuals and complete the negotiation of the formal agreement. In very basic terms, the agreement in principle calls for a 50/50 sharing of the surplus after various provisions for future obligations and costs.

Eligible members will include all members affected by the 1999 partial plan wind-up, and all active Plan members and pensioners and deferred vested members entitled to a pension from the Plan as of June 24, 1997 (the day Scotiabank announced its purchase of National Trust) and any applicable surviving spouses, beneficiaries and estates.

It is expected a next step will be a formal joint mailing, confirming this important announcement, at which time, all eligible members will be asked to show their support by completing and returning a retainer/authorization form to our lawyers. Ultimately, once any final surplus sharing agreement has been negotiated all eligible members will be informed of its terms and what it means to them individually and will be asked to vote in support of putting it into effect. We will require a very high percentage of support within each category of member, in order to obtain regulatory and court approval for any surplus distribution. No financial contribution is necessary with this form.

We wish to thank all of our supporters, for without your financial contributions, we would not be where we are today. Please do not contact Koskie Minsky at this time. We will provide timely updates via this website as we can.