



**FINANCIAL SERVICES TRIBUNAL**

**IN THE MATTER OF** the *Pension Benefits Act*, R.S.O. 1990, c.P.8, ("the Act") as amended by the *Financial Services Commission of Ontario Act*, 1997, S.O. 1997, c. 28;

**AND IN THE MATTER OF** a Notice of Intended Decision of the Superintendent of Financial Services to consent under section 78(1) of the Act relating to the payment out of the pension fund for The Canada Life Canadian Employees' Pension Plan, Registration Number 0354563 (the "Plan");

**AND IN THE MATTER OF** a Hearing in accordance with subsection 89(8) of the Act.

**NOTICE OF HEARING**

**TAKE NOTICE** that the Financial Services Tribunal ("the Tribunal") will hold a hearing in this matter pursuant to subsection 89(8) of the Act.

**THE HEARING WILL BE HELD** on **Friday, December 4, 2015** and **Monday, December 7, 2015**, commencing at 9:30 a.m. each day at the offices of the Tribunal, located on the 14th Floor, 5160 Yonge Street, Toronto, Ontario.

The matter will be heard by a panel consisting of Florence Holden, Chair, Patrick Longhurst and Jeffrey Richardson.

**THE PURPOSE OF THE HEARING** is to determine the following issues:

- a. Under the circumstances, do each of the applicants have status to request a hearing in this matter?
- b. Do any of the applicants have a right to request a hearing if none of them made written representations to the Superintendent regarding the surplus withdrawal application made by The Canada Life Assurance Company, pursuant to subsections 78(3) and 89(3.1) of the Act?
- c. Does the Tribunal have jurisdiction in this proceeding to direct the Superintendent to re-open the 2011 approval of the Integrated partial windup report under the Plan?
- d. If the answer to any of issues (a), (b) or (c) is no, should the individual hearing requests be dismissed without further hearing?
- e. To what extent, if any, is the Tribunal bound by or limited by the Order of the Superior Court of Justice dated January 21, 2014?
- f. Does the Tribunal have jurisdiction to issue the order requested by the applicant Ms. Durst, that The Canada Life Assurance Company be found negligent in their responsibility to protect the assets in the Plan?
- g. Do the Requests for Hearing and related Applications for Party Status of Mr. Anderson and the other self-represented applicants raise any justiciable issues for determination by the Tribunal?

**THE HEARING** will be open to the Public unless the Tribunal orders otherwise.

**IF YOU DO NOT PARTICIPATE** in the hearing in accordance with this Notice, the Tribunal may proceed without your participation, and you will not be entitled to any further notice in this proceeding.

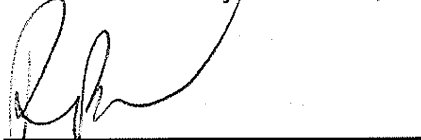
Parties will be required to exchange documents with other parties as set out in the Pre-Hearing Memorandum ("Memorandum") for the Pre-Hearing Conference held on Wednesday, October 14, 2015. Where documents are to be filed, parties are required to file **four (4) copies** with the Registrar's Office, Financial Services Tribunal pursuant to Rule 8.02 of the *Rules of Practice and Procedure for Proceedings Before the Financial Services Tribunal* on the dates and in the form outlined in the Memorandum.

Please note that, subject to the *Freedom of Information and Protection of Privacy Act*, once a document is filed with the Registrar, it becomes a public document except as the Tribunal may otherwise order.

With respect to material that you file in connection with this matter, you may wish to consider protecting the privacy of individuals by removing social insurance numbers and other personal identifiers. Please refer to *Information For Parties With Privacy Concerns* which is available at [www.fstontario.ca](http://www.fstontario.ca) or by contacting the Registrar. The Tribunal's decisions are posted publicly on the internet.

You should note that there is a formal procedure available to you under Rule 11 of the *Rules of Practice and Procedure for Proceedings before the Financial Services Tribunal* whereby you may apply, in an appropriate case, for an order of the Tribunal protecting all or parts of any material you file with the Registrar from disclosure.

DATED at the City of Toronto, this Tuesday, October 27, 2015.



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Rhonda Booth  
Registrar  
Financial Services Tribunal

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