

FINANCIAL SERVICES TRIBUNAL

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

AND IN THE MATTER OF the Actuarial Report on the Partial Plan
Windup of the Bendix Heavy Vehicle Systems Participation in the
AlliedSignal Canada Inc. Retirement Plan for Salaried Employees
(now the Honeywell ASCa Retirement Plan for Salaried Employees),
Registration Number 0222695 (the “Plan”) as at December 31, 1992;

AND IN THE MATTER OF the letter dated January 1, 2006 from the
Pension Officer, by delegated authority of the Superintendent of Financial
Services, in relation to a request to appoint an administrator pursuant to
Section 71 of the *Act* in the **Honeywell ASCa Retirement Plan for**
Salaried Employees (formerly the AlliedSignal Canada Inc. Retirement
Plan for Salaried Employees), Registration Number 0222695 (the “Plan”);

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

B E T W E E N:

HONEYWELL ASCa INC. and JACQUELINE BRIAND

Applicants

- and -

SUPERINTENDENT OF FINANCIAL SERVICES

Respondent

- and -

**THE AFFECTED MEMBERS OF THE PLAN ADDED AS PARTIES TO THE
PROCEEDINGS BY THIS ORDER**

Parties

BEFORE:

Ralph Scane
Chair of the Panel and Member of the Tribunal

Martin Brown
Member of the Tribunal and of the Panel

David Short
Member of the Tribunal and of the Panel

APPEARANCES:

For the Applicant Honeywell ASCa Inc.:
Mr. David Stamp

For the Applicant Jacqueline Briand:
Mr. Ari Kaplan

For the Superintendent of Financial Services:
Ms. Deborah McPhail

HEARING DATE:

June 23, 2008

ORDER

THIS HEARING was held today as an oral hearing at the office of the Financial Services Tribunal (the “Tribunal”) in the presence of counsel for all parties.

ON READING the submissions filed on behalf of Honeywell ASCa Inc. (“Honeywell”) and on hearing the submissions of counsel for all parties, and on reading the Minutes of Settlement dated June 16, 2008, which have been filed in respect of this hearing ,

1. The persons listed in Schedule “A” are hereby added as parties to these consolidated proceedings.
2. The Minutes of Settlement are approved and shall bind all parties.
3. Honeywell is ordered to, within 10 days from the date of this Order, file with the Superintendent of Financial Services (the “Superintendent”) an Amendment to the Plan to provide for the distribution of surplus in the Plan relating to the December 31, 1992 partial wind-up of the Plan and a Surplus Withdrawal Application as specified in the Minutes of Settlement, and shall, as soon as reasonably practicable after such documents are filed, file a supplementary update reflecting the above and this supplementary update shall be as the effective revision to the partial wind up report as ordered in the Notice of Proposal.
4. The Superintendent is directed to (i) issue a Notice of Proposal (the “2008 NOP”) proposing to approve the Surplus Withdrawal Application within 60 days from the date Honeywell files the Surplus Withdrawal Application with the Superintendent; and (ii) issue a certificate of registration and notice of registration in respect of the Amendment, within 60 days from the date Honeywell files the Amendment with the Superintendent.

5. Unless a Request for Hearing in respect of the 2008 NOP is filed within 30 days of the issuance of the 2008 NOP, the Superintendent shall consent to the Surplus Withdrawal Application with an effective date of October 15, 2008.
6. No costs order is made by the Tribunal in respect of these proceedings.

DATED at Toronto, Ontario, this 23rd day of June, 2008

“Ralph Scane”

Ralph Scane
Chair of the Panel and Member of the Tribunal

“Martin Brown”

Martin Brown
Member of the Tribunal and of the Panel

“David Short”

David Short
Member of the Tribunal and of the Panel

SCHEDULE "A"

LIST OF ADDITIONAL PARTIES

Last Name	First Name
Antonucci	Angelo
Atherton	Al
Benoy	Chris
Bergeron	Estate of Gerry
Blue	Tony
Bowden	Clive
Breier	Frank
Briand	Dan
Byrne	Joanne (formerly known as Joanne Earles)
Colja	Marg
Corin	Rick
Corley	Estate of Victor
Cowan	Gary
Dobbie	John
Forget	Sandy
Gillis	Willard
Goldie	Duncan
Grosvenor	Steve
Hardman	Sue
Hotz	Peter
Hosang	Mike
Khoury	Laura (formerly known as Laura Biduke)
Lee	Gord
Leonard	Cathy
Mainprize	Paul
Marshall	Dennis
Martel	Larry
Martindale	Carl
McCloskey	Ron
McKibbin	Stu
Mimnaugh	Gerry
Oestreich	K
Sharp	Merv
Smith	Lonnie
Stacey	Glen
Stahl	Harold
Strasser	Reini
Sustarsic	Stan
Wong	Ray
Woolley	Tony
Worrall	Jeff
Zimmer	Brian