

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Fraser Papers
Plaintiff(s)
AND

Defendant(s)

Case Management Yes No by Judge: Levell, J

Counsel	Telephone No.:	Facsimile No.:
<u>Mr Swartz for NB members of CSER</u>		
<u>D. J Miller for Applicants</u>		
<u>D Chaves for Brockfield</u>		
<u>C Bux for CIT</u>		
<u>K Resniky for PO + US CSER members</u>		

- Order Direction for Registrar (No formal order need be taken out)
- Above action transferred to the Commercial List at Toronto (No formal order need be taken out)
- Adjourned to: _____
- Time Table approved (as follows): _____

Roues Ward Phillips + Unibery LLP was appointed by me as representative counsel to various employees + retirees in Canada + the US including former employees who were members of the NB Regional Council of Carpenters, Millwrights + Allied workers, local 2450, current + former employees who were members of the office + Professional Employees International Union + former employees of the I.B.E.W.

A conflict has arisen within the volunteer group known as CSER which represents this broad constituency.

The Mouey Party wishes to formalize its decision making procedure + seeks approval of guidelines in addition to the order made by this court on Sept 17, 2009.

In addition, the superintendent of pensions for the Province of New Brunswick has asked the Mouey Party to obtain confirmation from

Mar 30 / 2010
Date

Sty Levell, J
Judge's Signature

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Judges Endorsement Continued

the court that the NB Salaries Term Sheet is legally binding on + effective against the represented parties employed or formerly employed by the Applicants in the Province of NB + Ontario (the "Term Sheet Represented Parties") + that execution of that Term Sheet by the OER is authorized.

No one opposes the relief requested + it is reasonable in the circumstances that have presented themselves.

Mr. Rosenbery appeared on behalf of the non NB + Ontario members of CSER to confirm his interpretation of the Guidelines. There is no difference of opinion on the meaning of paras 5.4, 5.6 + 5.7 of the Guidelines + it is intended that the non NB + Ontario employees + former employees will have an independent voice albeit channeled through CSER + Davis Ward as representative counsel.

I have granted the order requested which also contains certain amendments to the Sept 17, 2009 appointment order.

SRP