

Q.B. NO. 569 OF A.D. 2007

CANADA )  
PROVINCE OF SASKATCHEWAN )

IN THE COURT OF QUEEN'S BENCH  
JUDICIAL CENTRE OF SASKATOON

BETWEEN:

**CROWN INVESTMENTS CORPORATION  
OF SASKATCHEWAN,**

APPLICANT

AND:

**THE BENEFICIARIES OF THE SURPLUS IN  
THE RETIREMENT ANNUITY FUND OF THE  
CAPITAL PENSION PLAN,**

RESPONDENTS

BEFORE THE HONOURABLE )  
MME. JUSTICE M.L. DOVELL )  
IN CHAMBERS )

<sup>12</sup>  
- Friday -  
ON ~~WEDNESDAY~~, THE 13<sup>th</sup>  
DAY OF ~~JUNE~~, 2019  
- July -

**ORDER**

**UPON THE APPLICATION** of Gary L. Bainbridge, QC, counsel on behalf of the Applicant, and upon hearing Chantelle Eisner, counsel on behalf of Saskatchewan Government Insurance Corporation (SGI), Potash Corporation of Saskatchewan Inc. (PCS), and upon hearing read the materials filed herein:

**IT IS HEREBY ORDERED** that the Applicant, having unsuccessfully been able to locate the beneficiaries of, or to distribute \$76,203.16 (together with accumulated interest) of the remaining surplus of the Retirement Annuity Fund of the Capital Pension

Plan ("Plan") to 48 beneficiaries, shall have no further obligation to seek to do so, and those funds may remain in the Plan for the benefit of the Plan annuitants, according to the text of the Plan;

**IT IS FURTHER ORDERED** that the Applicant shall seek to distribute the remaining surplus of the Plan in the amount of \$48,468.08 to the remaining 49 beneficiaries of the Fund;

**IT IS FURTHER ORDERED** that the expenses incurred by the parties to these Court proceedings, including notification expenses and legal fees on a solicitor-client basis, shall be charged to the surplus, subject to the approval of solicitor-client costs by the Court;

**IT IS FURTHER ORDERED** that after December 31, 2019, the Applicant shall have no further obligation to attempt to locate, or transfer any remaining surplus funds to, any of the beneficiaries of the Plan, that its obligations as trustee shall be deemed to have been satisfied, and that the remaining surplus funds may remain in the Plan for the benefit of the Plan annuitants, according to the text of the Plan; and

**IT IS FURTHER ORDERED** that the Applicant shall have leave to return to the Court to seek such further advice and directions as may be necessary in carrying out the terms of this Order.

ISSUED at the City of Saskatoon, in the Province of Saskatchewan, this 10<sup>th</sup>  
day of July, 2019.

  
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Local Registrar