

**From:** [Meakin, Nigel](#)  
**To:** [Daniel Boudreault](#)  
**Cc:** [Sylvain Rigaud - Norton Rose Fulbright Canada LLP \(sylvain.rigaud@nortonrosefulbright.com\)](#); [Ashby, Chrystal](#)  
**Subject:** RE: Wabush Mines - OPEBs  
**Date:** Wednesday, July 25, 2018 4:47:41 PM

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Daniel

I refer you to the terms of the settlement agreement, which covers all OPEB/Other Employee Claims of all USW Members. Further, pursuant to the Claims Procedure Order, any claim that Mr. Button may have had has been barred and extinguished, subject to further Order of the Court and the Monitor does not have the authority or discretion to now allow any such claim.

Kind regards

Nigel

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**From:** Daniel Boudreault <DBoudreault@plba.ca>  
**Sent:** Tuesday, July 24, 2018 10:41 AM  
**To:** Meakin, Nigel <Nigel.Meakin@fticonsulting.com>  
**Cc:** Sylvain Rigaud - Norton Rose Fulbright Canada LLP (sylvain.rigaud@nortonrosefulbright.com) <sylvain.rigaud@nortonrosefulbright.com>; Ashby, Chrystal <chrystal.ashby@nortonrosefulbright.com>  
**Subject:** Wabush Mines - OPEBs  
**Importance:** High

Nigel,

As you are aware, my clients have recently deployed many efforts to be able track down the individuals in your returned mail list in order to find out their new addresses. These efforts have allowed us to find many of these individuals that we were searching for, but also other individuals who had new addresses.

Throughout the process, in early July, my clients were contacted by someone who wanted to inform us of his most updated address. This worker is called Harry Button (Employee Badge # 15224). Mr. Button also inquired to the USW about the value of his insurance rights as a retiree (OPEBs). We cannot retrace Harry Button on any of the lists for the OPEBs, which were built from the Employer's files from what I know. He is not included in the OPEB settlement. Since the initial contact, my clients have exchanged with Mr. Button to be able to receive information about his personal situation, which they were not aware of.

Mr. Button has been on Workers compensation since 1988 for an work accident as a production truck driver in Wabush (back injury). From the information I currently have, Mr. Button would have maintained his employment relationship with the company through these years, while being totally disabled, until his retirement on June 5<sup>th</sup> 2015. Mr. Button had to retire because he had reached 65 years old on that date. He was still on Workers compensation at that time.

The insurance agreement provided for maintained insurance coverage for employees on workers compensation/totally disabled. The insurance agreement also provided for OPEBs rights if the employee was on workers compensation at the date of retirement. I attach a copy of the relevant section of the insurance booklet for your reference on that subject.

Therefore, we believe Mr. Button has suffered a loss with the OPEBs termination and accordingly should have a CCAA claim determined for him. Mr. Button specifically claims that he has such rights. We cannot figure why he was omitted from the original OPEBs claimants list.

In light of the current status of the CCAA file, we felt it was necessary to bring this matter to your attention now, although we are still looking for additional information from him. We would appreciate to hear back from the Monitor as soon as possible.

Regards,

**Daniel Boudreault**

Avocat

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