ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

IN THE MATTER OF THE COMPANIES' CREDITORS' ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF CANWEST GLOBAL COMMUNICATIONS CORP. AND THE OTHER APPLICANTS LISTED ON SCHEDULE "A" TO THE INITIAL ORDER (the "Applicants")

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AFFIDAVIT OF ROSE STRICKER (sworn February 23, 2010)

- I, ROSE STRICKER, of the City of Hamilton, in the Province of Ontario, MAKE OATH AND SAY:
- 1. I am a former employee of one of the Applicants in these proceedings (collectively, the "CMI Entities"). I swear this affidavit in support of the claim filed by certain retired employees of the CMI Entities and filed through the law firm Cavalluzzo Hayes Shilton McIntyre and Cornish LLP (the "Retiree Terminal Deficiency Claim").
- 2. As a Retiree, I have knowledge of the matters to which I hereinafter depose except where stated to be based on information and belief.

My Employment

3. I began working with Niagara Television Limited, then owned by Selkirk Holdings, for what became CHCHTV in December 1973. I was employed by Niagara Television Limited, later McLean Hunter, and later Western International Communications ("WIC") until March, 1993 (collectively, "CHCHTV").

- 4. I joined CHCHTV as an associate producer of community programming, specifically a locally focused program called Midday. I was later promoted to full producer and my role broadened to producing community programming generally such as programming to fund raise and raise the profile as groups such as the Canadian Cancer Society, the Ontario Heart and Stroke Foundation, the United Way, and Hamilton Police Services. At various points in my career I was also an executive producer, director and on-camera interviewer. Among other things, I wrote and produced the award-winning public appeals broadcast, "The Abduction of Kristen French".
- 5. In 1988, I was promoted to Vice-President of Publicity and Promotion where I was responsible for strategies to promote public programming, and advocacy on behalf of the station before the CRTC. I left CHCHTV in 1993, after the acquisition of the station by WIC.
- 6. Since 1993, I have been involved in media in a number of roles. Currently, I am employed as a Criminal Intelligence Analyst for the Royal Canadian Mounted Police, which has been my employer since 1999.
- 7. I was not a member of a union during my employment with CHCHTV.
- 8. As an employee of CHCHTV, I contributed to the Global Communications Limited Retirement Plan for CH Employees (the "CH Plan"). When I left the company, I left my pension entitlement in the CH Plan. As such, I am a deferred vested member.

The Nature of the Retirees' Claims

9. Although my situation is one of a member of the CH Plan who has not yet taken retirement benefits from the CH Plan but has instead a deferred vested claim to benefits because I maintain assets in the CH Plan, the evidence I give here applies to all

retirees' claims that the CMI Entities fund the "Terminal Deficiency".

10. My pension benefits are at risk in this proceeding. It is my view that as former employees of CHCHTV, we worked in good faith for our employer and contributed to the pension plan in the belief that our employer would uphold the employment bargain and protect our pension and other benefits. We were promised a certain level of benefits when we retired based on the contributions we made and the wording of the CH Plan. It is upsetting that the benefits we worked so hard for are at risk in this proceeding.

My Situation

- 11. In the sections below, I outline some of the evidence that has been gathered from other Retirees in support of the Retiree Terminal Deficiency Claim. I can also however speak directly to my situation.
- 12. I was hired by CHCHTV on December 3rd, 1973. As a condition of my permanent employment, I was required to join the CH Plan on January 1, 1975. Regular deductions were taken from my paycheque at a pre-determined rate. I had no say as to whether or not the amounts were deducted, the amounts actually deducted, or even my participation in the CH Plan. Participation in the company pension plan also had a negative impact on the amount I was allowed to contribute to an RRSP: the more that was contributed to the CH Plan, the less I could contribute to an RRSP.
- 13. Although in one sense the CH Plan was something that was imposed on me without my consent, after more than nineteen years of employment I came to rely on the fact that when I retired the CH Plan would be there for me and my family. While employed at CHCHTV, I would receive regular updates and statements telling me that I had been hired at a certain date, had certain number of years of service, and had contributed a certain amount to the CH Plan. Most importantly, these statements set out the dates on which I could retire and the benefits I would receive in the form of a

pension once I chose to retire. These benefits, dates, and contributions were always spelled out clearly and precisely, right to the penny.

- 14. In preparing this affidavit and the comments I have just made, I was able to locate statements described as annual statements as at December 31, 1989, December 31, 1990, December 31, 1991, December 31, 1992, and December 31, 1994. I have reviewed these statements before swearing this affidavit. I do not want to attach these statements to the public record because I do not feel that my personal information, including personal financial and income information, needs to be made public. Further, in my current position with the RCMP, I maintain a high security clearance which I do not want to jeopardize by making public any of these private details.
- 15. I knew that the salary and benefits I earned in the present for my hard work with CHCHTV were part of the compensation I was entitled to. The continuous deductions from my paycheques for CH Plan contributions and the regular pension statements I received were a constant reminder that I would enjoy a certain level of income on retirement and that this income was not some gift but was something I had paid for and earned and, frankly, was entitled to. I relied on these many deductions and statements and trusted that I would receive the benefits to which I was entitled when I retired.
- 16. I had no reason to question that these benefits were somehow ever in jeopardy. On September 27, 1991, CHCHTV employees received a letter from Steven M. Harris, President of CHCHTV, describing that the CHCHTV Plan "has performed well and continues to offer an excellent overall benefit level to you and your fellow members". Mr. Harris went on to explain what steps were being taken to protect the plan's assets as McLean Hunter prepared to sell CHCHTV to WIC. I have attached a copy of this letter as Exhibit "A" to my affidavit. With that letter from Mr. Harris, I received a two page statement from CHCHTV outlining, to the penny, the pension amounts I was expected to receive on retirement. That statement is the one I described earlier and

was dated as at December 31, 1990.

- 17. On October 14, 1992, CHCHTV employees received another letter from Steven Harris, President of CHCHTV, describing that the CHCHTV Plan "has performed well and continues to offer an excellent overall benefit level to you and your fellow members." I have attached a copy of this letter as Exhibit "B" to my affidavit. With that letter from Mr. Harris, I received a three page statement from CHCHTV outlining, to the penny, the pension amounts I was expected to receive on retirement. That statement is the one as at December 31, 1991.
- 18. I continued as a permanent employee in various roles until March 1, 1993 at which point I was laid-off as a result of restructuring and downsizing. At the termination of my employment, I decided to leave my pension entitlement invested in the CH Plan since I believed that this was the safest place and best plan for my future. I trusted that the owners at the time and any future owners would honour their obligations to our defined benefit pension plan.
- 19. While I was negotiating the terms of the separation of my employment, I requested and received a statement outlining my pension benefit as at December 31, 1995. I am attaching a copy of this document as Exhibit "C" to this affidavit.

20. Since Mr. Harris' 1991 letter and the statement as at December 31, 1995, I have not received any further correspondence or information on the status of the CH Plan with the exception of early in 2009 when I tried to withdraw my entitlement from the plan. At that time I was told by Rosemary Chenier, Supervisor, Human Resources and Administration, CHCH News Hamilton via e-mail that I would not be able to do this since the Office of Superintendent of Financial Institutions had put a freeze on all withdrawals. The reason I wanted to withdraw my entitlement was due to media reports of Canwest Global Communications Corp.'s financial troubles.

- 21. I can clearly say that in all my many years with CHCHTV and in all of the statements or communications I ever received from CHCHTV, nobody from CHCHTV ever suggested or said that my employer could choose not to fully fund the CH Plan at any point in time.
- 22. I can clearly say that in all my many years with CHCHTV and in all of the statements or communications I ever received from CHCHTV, nobody from CHCHTV ever suggested or said that my employer could choose not to fully fund the CH Plan if the CH Plan were ever wound up.
- 23. I can clearly say that in all my many years with CHCHTV and in all of the statements or communications I ever received from CHCHTV, nobody from CHCHTV ever suggested or said that my employer could choose not to fully fund the CH Plan if the CH Plan were ever in something called a "Terminal Deficiency".
- 24. I simply never recall receiving any comments or statements that suggested that, notwithstanding the clear statements of my pension entitlements, my CH Plan benefits could be reduced for any of these reasons.
- 25. Now, as I reach retirement age, I find that it is probable that the funds I had counted on from the CH Plan will be significantly reduced, forcing me to continue to work at my present occupation well past the commonly held retirement age. Whether or not my current employer and the work that I perform will even allow me to do this is another story.
- 26. Had I known of this, I would have withdrawn all of the money owed to me from the CH Plan in 1993. Canwest and its predecessors have had years to invest my money wisely. I had no say in how they did this. They also have had years when they did not make any contributions at all since the plan was fully funded. CHCHTV

employees did not have this option.

Development of the CH Retirees Committee

- 27. I first became involved with the group of former CHCHTV employees (the "CH Retirees") in April 2009, after I became aware of Canwest's financial situation and the risk to the CH Plan through media reports. After corresponding with Human Resources at CHCHTV and attending an information session, I attended a CH Retirees meeting. At that meeting, I volunteered my time and expertise in media relations in order to assist with the advocacy efforts the retiree group was undertaking.
- 28. We established a steering committee, the CHCHTV Retirees Pension Steering Committee (the "Committee"), consisting of Harry Carson, Kathy Renwald, Ken Smith, Carol Thomas, Bob Ireland, David Cremaso, and me. This steering committee was designed to be as diverse as possible, representing formerly unionized and non-unionized members, deferred vested members, recently retired members and long-term retirees. We made efforts for these proceedings to contact other deferred vested retirees like myself. In total, we represent approximately 100 former employees of CHCHTV.
- 29. We have established a website to ensure that CH Retirees are informed at www.chch11retirees.ca. On that website, we have posted a number of informational bulletins, prepared by the Committee with the assistance of our legal counsel, on topics such as pension rights, pension plan terminations, and the Canwest restructuring.
- 30. We have also issued a number of press releases to the media to raise awareness of the issues faced by the CH Plan. Attached to this my affidavit as Exhibit "D" is a true copy of a press release entitled "CHCH TV RETIREES CALL ON CANWEST GLOBAL TO APPROACH THE FEDERAL GOVERNMENT TO RESOLVE CHCH TV PENSION CRISIS", dated July 28, 2009.

- 31. At the time that the CH Plan was purported to be terminated, the CH Plan was underfunded, and Canwest announced that it would not be fully funding the CH Plan on wind-up. The Committee undertook a letter writing campaign to Members of Parliament and to the Federal Finance Minister. Attached to this my Affidavit as Exhibits "E" and "F" are true copies of letters sent to Members of Parliament and the Honourable James Flaherty.
- 32. Our letter writing campaigns and news releases have resulted in the issue of the CH Plan being covered extensively in the local media. Attached to this my affidavit as Exhibits "G" through "H" are true copies of media reports featuring the CH Plan.

Evidence Obtained From this Committee Work

- 33. The CH Retiree Committee has a webmaster and an email master who volunteer to assist the Committee in its efforts. Our email master had email addresses for many retirees that he had compiled over the years. On November 16, 2009, our email master sent an email to a list of retirees which I had drafted. The email requested that retirees email us back with their retirement stories, what they felt was the retirement benefits they expected to enjoy on retirement, and the impact any reduction in their benefits might have on their retirement. I have attached as Exhibit "I" a copy of this email.
- 34. The stories were sought and obtained to assist the Committee with its communications strategy. The Committee wanted to use these responses in its advocacy efforts. We did in fact forward stories received by email to the Asper family.
- 35. We received a lot of responses. When I received the responses, I edited these simply by correcting spelling mistakes. I did not change the content of any of them except for some of the content of Story #29 because I felt that Mr. Stone's initial comments were overly inflammatory. I have attached copies of these stories after I edited them as Exhibit "J" to my affidavit. I verily believe the facts in these stories to be

true. The people who wrote them are former journalists or other employees in the news and television broadcasting industry who were being asked by the Committee to provide their stories solely for the purpose of explaining the human impact of a change in retirement benefits.

36. I make this affidavit bona fide.

SWORN BEFORE ME at the City of the 23rd day of February, 2010.

Commissioner etc

Rose Stricker

Jean-Rodrigue Arnan Yoboua, a Commissioner etc., Province of Ontario, while a student-at-law. Expires June 10, 2012.

This is Exhibit "A".... referred to in the affidavit of Rose Stricker sworn before me, this 23rd day of February, 2010.

A Commissioner of Oaths, etc.

163 Jackson St. West P.O. Box 2230, Station A Hamilton, Ont. LBN 3A6



Phone (416) 522-1101 From Toronto 366-9688 Fax (416) 523-8011

Dear Pension Plan Member:

Each year the Pension Plan's manager, William M. Mercer Limited, conducts an analysis of our pension holdings and analyses your individual entitlement to present and future pension benefits. Your personal information report is attached and an individual copy is being forwarded to the spouse identified by you.

I am pleased to report to you that the pension plan has performed well and continues to offer an excellent overall benefit level to you and your fellow members.

Recently, in preparation for the potential sale to WIC, Maclean Hunter worked with William M. Mercer to separate our plan's assets out of the total asset structure whereby it was blended together with the plans of Selkirk and, later, Maclean Hunter. This process is complete and will allow a smooth ownership transition. The reorganization did not affect the value of your contributions or future earnings. Further explanation is available from CABE or our benefits administrator.

The report shows contributions made up to December 31, 1989, including interest on your contributions to that date. Your contributions during 1990 and the 1990 interest are added together to give an amount which represents your total contributions with interest to the end of the 1990 plan year. The second section of the document shows what you are entitled to as a result of your contributions. From the Niagara plan the amount of pension you will receive based on your contributions up until now is set out separately and an additional amount indicates the increase in pension you will receive if you continue to work at the station through until your normal retirement date. Finally, payments that you will receive from government pensions, assuming normal retirement date, are set out and a grand total of your future retirement income is presented at the bottom of the calculation. On the back page, the analysis provides pension information related to early retirement benefits.

If you have any questions as to how these numbers are arrived at, please feel free to discuss them with our benefits administrator at your convenience.

Yours sincerely,

Steven M. Harris,

President

September 27, 1991

This is Exhibit "B".... referred to in

the affidavit of Rose Stricker sworn

before me, this $23^{\rm rd}$ day of February, 2010.

Commissioner of Oaths, etc.

13

163 Jackson St. West P.O. Box 2230, Station A Hamilton, Ont. LBN 3A6



Phone (416) 522-1101 From Toronto 366-9688 Fax (416) 523-8011

October 14, 1992

Dear Pension Plan Member:

Each year, the manager of the Niagara pension plan, William M. Mercer Limited, conducts an analysis of the Plan's holdings and analyzes your individual entitlement to present and future pension benefits. Your personal information report is attached and an individual copy is being forwarded to the spouse identified by you.

I am pleased to report to you that the pension plan has performed well and continues to offer an excellent overall benefit level to you and your fellow members.

Our Niagara plan is entirely separate from and administered independently of the former Selkirk plans and the present Maclean Hunter plan. The separation from the Selkirk plans was completed last year.

The report shows contributions made up to December 31, 1990, including interest on your contributions to that date. Your contributions during 1991 and the 1991 interest are added together to give an amount which represents your total contribution with interest to the end of the 1991 plan year. The second section of the document shows what you are entitled to as a result of your contributions. From the Niagara plan the amount of pension you will receive based on your contributions up until now is set out separately and an additional amount indicates the increase in pension you will receive if you continue to work at the station through until your normal retirement date. Finally, payments that you will receive from government pensions, assuming normal retirement date, are set out and a grand total of your future retirement income is presented at the bottom of the calculation. On the back page, and continuing on to page 2, the analysis provides pension information related to early retirement benefits, termination benefits, disability benefits, and death benefits.

If you have any questions as to how these numbers are arrived at, please feel free to discuss them with our benefits administrator at your convenience.

Yours sincerely,

Steven M. Harris

President

This is Exhibit "C".... referred to in

the affidavit of Rose Stricker sworn

before me, this 23rd day of February, 2010.

Commissioner of Oaths leto

MEMBER ACCOUNT POSITION AS AT DECEMBER 31, 1995 CONSOLIDATED RETIREMENT PLAN FOR EMPLOYEES OF NIAGARA TELEVISION LIMITED AND SUBSIDIARY AND ASSOCIATED COMPANIES

15

DIVISION: FULL TIME EMPLOYEES

GROUP: 1

NO.: 155

S.I.N.	MEMBER'S NAME	M.S. SEX	TERM DAT	E REASON
425-932-035	ROSE M O STRICKER	S J. F.	ti summerhor .	
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PROV. SPOUSE'S NAMS DESIGNATED BENEFICIARY RELATIONSHIP
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1994	8,066.56	13,108.16	21,174.72	19,748.90	25,207.95	44,958.85	8,2
1993	6,924.46	12,859.70	19,784.16	18,493.21	23,605.16	42,098,37	8.20
1992	5,705.04	12,360.92	18,065.96	16,922.01	22,419.19	39 341.20	
1991	4,328.50	11,254.09	15,582.59	13,354.83	21,035.08	34,389.91	

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PROJECIEL	51,007.60
ACCRUED	51,007.60

SPECIAL EARLY RETIREMENT DATE	1 MAY 2008
PROJECTED PENSION TO SPECIAL EARLY RETIREMENT DATE	32,923.70
PROJECTED BRIDGE BENEFIT	6,180.00

COMMENTS: LAID-OFF ON 01.03.93

This is Exhibit"D".... referred to in the affidavit of Rose Stricker sworn before me, this 23rd day of February, 2010.

Commissioner of Oaths, etc.

This is Exhibitreferred to in the
affidavit of ROSE SMUKE 17
sworn before me, this. 2
day of Detables

NEWS RELEASE

For Release: Tuesday, July 28, 2009 9:45 a.m. EDT

CHCH TV RETIREES CALL ON CANWEST GLOBAL TO APPROACH THE FEDERAL GOVERNMENT TO RESOLVE CHCH TV PENSION CRISIS

Hamilton, Ontario – Canwest Global Communications Limited has advised CHCH TV retirees that the company will be winding up the CHCH TV pension plan effective August 31, 2009. The company has also informed the retirees that the plan has an unfunded windup deficiency, and that Canwest Global has no intention of funding the deficiency. This means that CHCH TV retirees will have their pensions reduced when the pension is wound up. The amount of the reduction is unknown because Canwest Global has yet to provide retirees with this information.

"Retirees are concerned that the issue of pension plan windup will pit current active employees at CHCH TV against retired former employees," said CHCH TV retiree Bob Ireland. "If Canwest lacks the resources to fund its commitments, then a better solution is to approach the federal government to seek regulatory relief. Regulatory relief would have the benefit of protecting the interests of both active and retired members."

Ireland noted that other federal employers, both big and small, have been able to obtain regulatory relief from the federal government. "This year, both Canadian Press, a small employer, and Air Canada obtained regulatory relief that allowed them to preserve and continue their pension plans," stated Ireland. "CHCH TV retirees believe that the interests of CHCH TV employees, retirees and other beneficiaries, as well as Canwest would be best served by this approach."

CHCH TV retirees have organized themselves and have retained legal counsel, Hugh O'Reilly, of Cavalluzzo Hayes. O'Reilly worked on the restructuring of both the Canadian Press and Air Canada pension plans.

"Canwest Global has demonstrated that it has a great deal of influence with the federal government. Canwest Global obtained approval to receive carriage fees from cable and satellite carriers," commented Ireland. "Given that the company is now in a position to receive these new revenue streams, a portion of those funds should be used to honour the pension promise to retirees."

"CHCH TV retirees will be contacting their members of parliament to get support for their position and will be in contact with the federal pension and broadcast regulatory authorities to make their case clear," added Ireland. "Retirees have also written a letter to the Honourable James M. Flaherty, Minister of Finance, to ask whether or not the federal government would be willing to consider regulatory relief if approached by Canwest Global and current and retired CHCH TV employees."

CHCH TV retirees have received the support of the Communications, Energy and Paperworkers Union of Canada (CEP), the union representing CHCH TV active members. "We fully endorse the CHCH TV retirees in their efforts and will work with them to approach the federal government for regulatory relief," said

Bob Huget, CEP Vice President for the Ontario Region. "Companies cannot be allowed to walk away from their pension commitments and the CEP will be taking proactive steps to prevent this from happening."

"Like all retirees in today's economy, CHCH TV retirees are vulnerable and face a number of challenges. Some have mortgages and children attending university and college while others have high medical bills or are looking after their elderly parents," commented Ireland. "After years of service, the one thing CHCH TV retirees thought they could count on was the pension that the company promised."

Bob Ireland spent 20 years as CHCH TV Bureau Chief at the Ontario Legislature and covered local and regional politics for CHCH TV for 5 years. Ireland was employed by CHCH TV for more than thirty years and is one of approximately 108 CHCH TV retirees and other plan beneficiaries.

-30-

Media Contacts:

For CHCH TV retiree matters:

Bob Ireland

905-335-4373

newshound25ca@yahoo.ca

chch11retirees@gmail.com

For CHCH TV retiree pension legal matters:

Hugh O'Reilly

416-779-3237

horeilly@cavalluzzo.com

For CEP matters:

Bob Huget

613-299-9839

bhuget@cep.ca

This is Exhibit "E".... referred to in

the affidavit of Rose Stricker sworn

before me, this 23rd day of February, 2010.

500 Green Road — Suite #1203 Stoney Creek, Ontario L8E 3M6

Mr. Wayne Marsden Member of Parliament Hamilton East – Stoney Creek 40 Centennial Parkway North – Suite #2, Hamilton, Ontario L8E 1H6 August 11, 2009

This is Exhibit.

B. referred to in the affidavit of NSC SMCLU

sworn before me, this.

day of DCTD DEV 20.00

RE: CANWEST GLOBAL COMMUNICATIONS LIMITED ABANDONS CHCH TV RETIREES

Company Reneges on Its Contractual Pension Obligations

Dear Mr. Marsden:

I am a CHCH TV retiree living in your riding. I am writing to you to make you aware of the crisis faced by retirees of CHCH TV as a result of Canwest Global Communications' decision to wind-up the CHCH TV pension plan, a federally regulated pension plan, without meeting its contractual obligations to fully fund it. The company has given August 31, 2009 as the wind-up date.

This will mean that more than 100 CHCH TV retirees will be left with a reduced pension, leaving many of us facing hardship. The plan is currently in deficit, the amount of which is unknown to us since Canwest Global Communications has refused to share that information with us.

Background:

I worked for CHCH TV for more than 19 years. Over those years, I held various positions in both broadcast production and promotion, and rose through the ranks from Associate Producer in 1973 to finally Vice President of Promotion and Public Relations in 1993.

During this time, I met all of my obligations to contribute to the company pension plan. The plan is a traditional defined benefit plan, whereby both the employer and the employees enter into a contract. Both the employer and the employees make contributions to the plan and the employer guarantees a certain payout to employees upon their retirement. Set amounts are deducted from the employee's pay cheque, an amount in which the employee has no say. Contributions for the employee are mandatory – not optional.

When Canwest Global Communications purchased CHCH TV, the company was fully aware of the type of pension plan it had inherited and of its commitments to its employees and retirees. Furthermore, Canwest Global Communications has admitted that, over the years that it owned CHCH TV, there were years where the company enjoyed a "contribution holiday". These were years where the company did

not contribute to the CHCH TV pension plan since the plan had a surplus. We, as employees were never given this option and continued to contribute to the plan in good faith with the trust and belief that our employer would honour its part of our agreement.

Call to Action:

We have written to the Honourable James M. Flaherty, Minister of Finance with the recommendation of federal regulatory relief for Canwest Global Communications. The purpose of regulatory relief is to allow Canwest Global Communications more time to fund its promise to us. We are joined in support for this recommendation by the Communications, Energy and Paperworkers Union of Canada, the union representing CHCH TV active members. The regulatory relief we are seeking is similar to what the federal government has already granted to Air Canada and the Canadian Press.

What You Can Do:

CHCH TV retirees are now formally approaching our Members of Parliament to champion our recommendation for federal regulatory relief. We are requesting that you write a letter to the Minister of Finance in support of our position.

The CHCH TV pension is under attack and CHCH TV retirees are the victims. There is a disturbing trend in Canada of companies trying to free themselves from their pension plan obligations and abandoning the employees who devoted most of their lives to building the successes that the companies have enjoyed. Although the societal impact may not be immediately obvious, should such a trend continue, it cannot bode well for the economic health of this country.

For your reference, we have posted a copy of the news release issued by CHCH TV retirees on Tuesday, July 28, 2009 on our website: www.chch11retirees.ca

Regards,

Rose M. Stricker, a concerned CHCH TV retiree

This is Exhibit "F".... referred to in

the affidavit of Rose Stricker sworn

before me, this 23rd day of February, 2010.

Commissioner of Caths, etc.



Room | 37, West Block
House of Commons
Ottawa, Ontario
K | A 0A6
Tel: 613,992,6535

Parliamentary Office

Fax: 613-992-7764

HOUSE OF COMMONS

Constituency Office 40 Centennial Parkway North Suite 2 Hamilton, Ontario L8E 1H6 Tel: 905-662-4763 Fax: 905-662-1285

Wayne Marston

Member of Parliament for Hamilton East - Stoney Creek

August 28, 2009

The Honourable James M. Flaherty Minister of Finance House of Commons Ottawa, ON K1A 0A6

Dear Minister,

It is our understanding that CHCH TV retirees have approached you regarding the status of their pensions as a result of the (pending) sale of CHCH TV to Channel Zero, and that they have put forward a recommendation that the federal government extend to CHCH TV the same kind of regulatory relief that has recently been granted to companies such as Air Canada and Canadian Press (i.e. a temporary moratorium on certain special payments, and a pre-set schedule of payments on its solvency deficit). We are writing in full support of this proposal.

As a result of the (pending) sale of CHCH TV to Channel Zero, Canwest Global Communications Limited has informed retirees, deferred members and active members of the CHCH TV pension plan that it intends to wind up their pension plan effective August 31, 2009. The company has also admitted that the plan has an unfunded wind-up deficiency and that the company has no intention of funding this deficiency. The amount of this deficiency is unknown since Canwest Global Communications Limited has refused to disclose this information.

A deficiency in the pension plan means that the pensions of more than 100 CHCH TV retirees will be reduced, leaving many facing significant hardship at a time in their lives when they can least afford it, and when they have very little opportunity to make up the difference through supplementary employment. These are people who devoted most of their lives to building the successes that this company has enjoyed.

CHCH TV retirees have the full support of the Communications, Energy and Paper Workers (CEP), the union representing CHCH TV active members, regarding this recommendation of seeking federal regulatory relief. When Canwest Global Communications Limited purchased CHCH TV, the company was fully aware that it had inherited a 'defined benefit pension plan' and its related commitments to its employees and retirees regarding that type of plan. Furthermore, Canwest Global Communications has admitted that, over the years that it owned CHCH TV, there were years where the company enjoyed a 'contribution holiday' since the plan had a surplus. CHCH TV employees were never given this option and continued to contribute to the plan in good faith with the trust and belief that their employer would honour its part of their agreement.

As Members of Parliament representing CHCH TV retirees in our ridings, we urge you to consider the recommendation for federal regulatory relief as presented by CHCH TV retirees. We see it as a viable and 'win-win' solution for all parties – CHCH TV retirees, deferred and active members of the CHCH TV pension plan, Canwest Global Communications Limited and ultimately the Canadian taxpayer.

Thank you for giving this matter your urgent, personal attention. Sincerely,

Wayne Marston, M.P. Hamilton East - Stoney Creek NDP Critic for Pensions, Seniors and Human Rights

Chris Charlton, M.P. Hamilton Mountain NDP Industry Critic Deputy Finance Critic

David Christopherson, M.P.

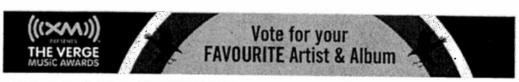
Hamilton Centre

NDP Critic for Democratic

Reform, Canada Post and Public Accounts

This is Exhibit"G".... referred to in the affidavit of Rose Stricker sworn before me, this 23rd day of February, 2010.

A Commissioner of Oaths, etc.



Sports

Community



JOIN AND BECOME A CHML INSIDER >

Hosts & Shows

News

Home

Grimsby woman killed in collision

City Approves Flood Compensation

United Steelworkers union fights back GE shuts down Oakville plant

Tori's dad cycles for Child Find Ontario

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Judge issues show-cause order to Moyes

Hamilton's Maple Leaf plant issues wiener recall



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Local News Local | National | World | Entertainment | Weather | Business Canwest Global Winding Up CHCH Pension Plan CHML 7/26/2009 Retirees at CHCH TV are facing a pension reduction. They've hired a lawyer after being told that Canwest Global will be winding up their pension plan effective August 31st. The company has also confirmed that the plan has an unfunded windup deficiency. Retirees spokesman Bob Ireland says a number of figures are being thrown around which suggest that the reduction could be anywhere from 6% to 25%. Ireland stresses that the impact could be devastating, noting that some still have mortages to pay and children who are still in university. CHCH retirees are calling on Canwest Global to follow the lead of Air Canada and the Canadian Press by approaching the federal government for help in resolving the pension crisis through « Return to previous page » Send to a friend Missing Hamilton man found in Texas

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VV

Contests

Global Pension Plan
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for global pension plan

Retirement Plan
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Plan? Find it Locally,
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www.britishpension.com

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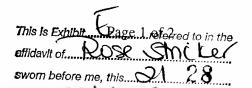
This is Exhibit referred to in the efficient of ROSE SMCKE sworm before me, this 20.0.7

This is Exhibit"H".... referred to in

the affidavit of Rose Stricker sworn

before me, this 23rd day of February, 2010.

A Commissioner of Oaths, etc.



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A COMMISSIONER ETC.

thespec.com

[Close]

CHCH retirees fear cut to pension

STEVE ARNOLD

The Hamilton Spectator

(Jul 29, 2009)

Retired Hamilton television workers are appealing to the federal government to save them from drastic cuts in their pensions.

The retirees of CHCH-TV are afraid their pensions could be cut by as much as 25 per cent if Canwest Communications walks away from their underfunded pension plan.

About 100 of the workers have banded together and hired a Toronto lawyer to fight a plan by Winnipeg-based Canwest to unilaterally wind up their pension plan as it prepares to sell the Hamilton TV station.

Canwest has admitted the plan is underfunded. That means there's not enough money to meet its current and future obligations, and that could mean retirees could see their incomes cut to make up the difference.

"We've heard the shortfall could be anywhere from 6 to 25 per cent, but we haven't had any firm information," said retired newsman Bob Ireland, a 30-year veteran of the station.

Lawyer Hugh O'Reilly, of the firm Cavalluzzo Hayes, helped Air Canada retirees defend their pensions. He said, while there's no requirement in federal law for Canwest to fully fund its pension plan, he still thinks retirees have a chance to sue the company to force it to live up to its obligations to them.



Scott Gardner, the Hamilton Spectator

"This is a case where I think the company's moral obligation has some legal weight," he said.

"If Canwest is winding down the pension plan because funding it would be too onerous, then let's work with the company to find a regulatory solution and let time heal the problem."

O'Reilly said he will try to work out an agreement in which Canwest would top up the CHCH pension over some negotiated time period.

In Ontario, legislation requires companies to cover pension shortfalls in five years, but deals have been struck with firms stretching those payments over as many as 10 years if they can show the shorter period will cause financial hardship.

The workers are getting support from the Communications, Energy and Paperworkers Union, which is the bargaining agent for CH's active employees.

Bob Huget, Ontario vice-president, said the union has filed a complaint against Canwest with the Canada Industrial Relations Board, arguing the company doesn't have the unilateral right to wind up the CH pension since it was created through collective bargaining.

"This is, frankly, disgusting," he said.

"It's a real slap in the face for people who've given a large chunk of their lives to an employer and now expect that pension.

"There has to be a way to skin this cat without penalizing retirees," he added. "This is just wrong-headed and puts a tremendous burden on the people who are least able to bear it. It's an atrocity and we are going to do everything we can to stop it. We are going to pursue this until we get a resolution."

John Douglas, vice-president of communications for Canwest, said the company intends to close out the CH pension plan and distribute its assets to members "to manage as they see fit."

The exact financial condition of the plan will be calculated after it closes Aug. 31.

The decision was made, Douglas added, because the plan is only for employees of one TV station, a business Canwest is selling.

29

He dismissed the idea of spreading solvency payments over a longer period because there is no future for the CH plan.

"That's a remedy for a pension plan that is moving forward and this plan will not move forward," he said.

"We are going to follow the law of the land and wind it up."

Canwest is struggling with a \$4-billion debt load and trying to refinance the company. One of those efforts involves selling CH to specialty television company Channel Zero, owner of the short-film channel Movieola and Silver Screen Classics.

sarnold@thespec.com

905-526-3496

thespec.com



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This is Exhibit"I".... referred to in

the affidavit of Rose Stricker sworn

before me, this $23^{\rm rd}$ day of February, 2010.

A Commissioner of Oaths, etc.

31

From:

"GF Bishop" <gfbishop@cogeco.ca>

To: Date: Undisclosed-Recipient:;

Subject:

2009-11-16 11:48 URGENT REQUEST FOR ASSISTANCE

Attachments:

CHCH TV Retirees Steering Committee - Request for Assistance.pdf; CHCH TV

Retirees Steering Committee - Request for Assistance.doc

November 16, 2009 Dear CHCH TV Retirees,

Many of you have asked how you can help. We do not have much time to continue making our case regarding our pension crisis. Here is what we need you to do.

- 1. 100% Give us reasons we can put forward that Canwest Global Communications (Canwwest) should fund the deficiency in the CHCH TV pension plan so that the retirees receive 100% of what we have earned and why we will not settle for less. (E.g. you may have been part of the negotiating team in the past and know of particular conditions that were agreed upon; as employees, did we ever have a choice to opt out of the plan or were our contributions always mandatory through deductions?). DEADLINE FRIDAY, NOVEMBER 20, 2009, 9:00 A.M. PLEASE SEND TO GARY VIA EMAIL.
- 2. Human Interest We need your personal stories urgently! Tell us what impact a 15% to 23% reduction in your pension will mean to you. What choices will you have to make? (E.g. choosing between independent living and living with relatives; between groceries and medication, etc.). You can also include how you feel you contributed to the community by your work at CHCH TV, to the successes of all of our owners, and what kind of legacy you feel you have left for those who remain employed at the station. DEADLINE FRIDAY, NOVEMBER 20, 2009, 9:00 A.M. PLEASE SEND TO GARY VIA E-MAIL.
- 3. Photos Our plans are to produce a presentation showing the faces behind our pension crisis. We would like to show that we are people, not figures. At the next meeting, we will be taking a head shot of each retiree to be compiled into the presentation. We will key your name, number of years of service to CHCH TV and areas in which you served (e.g. production, operations, administration, management). THEREFORE, WE NEED YOU TO SHOW UP AT THE MEETING AND HAVE YOUR INFORMATION READY. NEXT MEETING IS WEDNESDAY, NOVEMBR 25, 2009, 7:30 P.M., ST. JOSEPH'S CHURCH, 260 HERKIMER STREET, HAMILTON.

Thank you for your contributions and assistance as we press forward.

Sincerely,

CHCH TV Retirees Steering Committee

Please return to gfbishop@cogeco.ca

This is Exhibit"J".... referred to in the affidavit of **Rose Stricker** sworn before me, this 23rd day of February, 2010.

Commissioner of Oaths, et

VICTIM IMPACT STATEMENTS Retirees and Deferred Members Of the

CHCH TV Employees Pension Plan

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CHCH TV Retirees Steering Committee

December 2009

CHCH TV RETIREES AND DEFERRED MEMBERS VICTIM IMPACT STATEMENTS

Victim Impact Statement # 1

It is reasonable....actually a right to expect a full pension following years of employment by the retirees who have made faithful financial contributions to the pension program. Ultimately, a mutual benefit to the retiree, as well as the company. It's demoralizing and unfair that a major deficiency in the fund by Canwest Global Communications has been revealed. I pulled my weight; the company must morally live up to its responsibility.

My connection with CHCH TV News spans three decades, beginning in 1989. In my capacity as a journalist/reporter (arts/entertainment), my contribution to the positive image of the station has been major. I say that in a collective sense, sharing the load with my dedicated newsroom colleagues. It is us, the "workers" who kept Canwest's logo and reputation flying high.

What happens if we don't received the 100 per cent entitlement of monies rightfully earned? Then we have to step down and live a less fulfilling life after retirement. The monies that we salted away with our payday pension deductions have dissolved because of company neglect.

I've proudly represented Hamilton's storied television station as a faithful employee, toiling to track down stories, shooting, writing, editing at all hours to meet news deadline requirements. Throw in the extra hours I've devoted (without pay) representing the station at public functions (hosting and m.c.ing concerts), responding to public speaking requests, attending a myriad of major events which required appearances of "on air" faces, adds up to hours of good will public relations for CHCH TV.

I and my fellow "workers" have been invaluable to Canwest Global Communications success. Is it expecting the impossible for the company to reciprocate?

Alex Reynolds (Tudoroff)

After working 20.5 years at CJOH-TV/Carleton Productions, Baton Broadcasting decided that the conditions imposed by the CRTC and the economic climate forced them to downsize CJOH-TV/Carleton Productions from 380 employees to 120 employees in 1995. I took my buyout and pension and put this money into Cdn mutual funds on the advice of financial consul. I moved onto RS Video for 1.5 years which was bought out by Dome in 1997. I then moved onto Unitel Mobile and was enticed away to join WIC Mobile (part of WIC TV).

One of the enticements was the great pension plan and benefit plans. WIC was purchased by Canwest in 2002. The Division I was working in as sales Manager changed from WIC Mobile to MVP Mobile in 2004 and we were promised that Canwest had great plans for growing MVP Mobiles into a major North American mobile truck company. So now in 2009 I find myself almost 59 years old trying to find employment in a industry that is downsizing, not growing.

MVP Mobiles was profitable every year and we contributed to Canwest revenues. Canwest, realizing that we needed major financial investment to switch to HD, decided to make some quick cash by closing the division and leasing off the assets. Everyone in the division was released.

I am 59 years old with almost 12 years service as a CH employee and the CH pension plan is the only pension I will collect or portion of.

Bill Graham

My reasons why Canwest Global Communications should fully fund the deficiency in the CHCH TV Pension Plan.

I have been retired since 1992 and have had no increases in my pension payments. What with the cost of living continually increasing, it has been difficult to maintain the quality of life I was expecting to enjoy for my retirement years.

If my pension income should be decreased by 15 to 23 percent it would most certainly require some immediate changes in my independent living.

During my thirty-five years of employment with CHCH TV I contributed to the Pension Plan in good faith expecting my pension years would not become a hardship. I felt that when I left I had contributed to the success of the Company through my dedication and loyalty.

Joan Pitt

It is difficult to express how offended and personally hurt I am that there is a need to write this letter. This situation of a possible reduction in my pension is heartbreaking. I feel like I am being robbed of what I worked for and it has certainly taken away my faith in fair practice in business towards all retirees.

A 15% to 23% reduction in my pension would be a heavy burden to my wife and me. It would force a serious restructuring of our lifestyle.

Our expenses continue to increase, which are also compounded by the impact of the loss of our medical and dental plan due to Canwest's financial problems and the discrimination against non-union employees.

This is happening at a time when I believed that everything I worked so hard for and contributed to for almost 40 years at CHCH-TV would be in place to look after myself and my wife to the day we die. We are at time in our life when we cannot recoup this loss, which makes the prospect of a decrease in my pension highly unfair and cruel.

My contribution to the station for over 40 years has been the creation of entertainment programming and being part of a working family that took pride in what they produced, which attracted viewers and generated revenue for the television station. CHCH-TV was highly regarded for its local involvement in the community, throughout the Toronto, Hamilton and Niagara region for almost 55 years.

The daily cost of living for health and medical services, car and fuel expenses, household expenses and services required due to our age will have an even stronger impact on both of us with any loss of our pension.

We have been independent all our lives and do not want to even contemplate the thought of depending on our family and have seriously planned to downsize when the time is right and pay for extra care when required.

We have recently reviewed our personal situation with the threat of a reduction in our pension and also due to the cancellation of the medical and dental benefits and have decided to sell my car, cancel our snow clearing service this winter, a job that neither one of us can or should be doing and it looks like we will be forced to stay in our home longer than planned due to the expenses of downsizing in today's market.

One of the effects of a possible decrease in our pension that hurts us the most is not being able to attend events that involve our grandchildren, which could be out of town hockey games, attending concerts and plays that they are participating in or possibly taking a vacation with our family. We know we do not have many years left and this is most upsetting to know that we will have to restrict our time with our family.

We finally have the time to take a short vacation in the winter months to help with our mental and physical well-being and now we may not be able to go. Because of the overall economy in recent years we have already found ourselves cutting expenses as much as we can.

Contemplating losing any of our pensions is a grave concern for my wife and me.

Larry Schnurr

I was the manger of the creative department at CHCH-TV for over 32 years when I retired. As a salaried employee, I am losing my benefits as well as facing a reduced pension. When I retired I was assured I would be able to retain my benefits for life with a maximum payout and that my pension was secure as it was in an annuity. This assurance allowed me to opt for a reduced pension which guaranteed a fixed sum for me during my lifetime, a sum which would continue after my death to support my wife.

Losing my benefits, combined with a reduced pension will severely impact my life. I suffered from Crohn's disease for years, and eventually had to have an operation to remove most of my large and small bowel, leaving me with an ileostomy. The required appliances and bags are very expensive and even though the Ontario Government assists me with a yearly grant, it falls far short of the actual costs.

My wife has had quadruple heart bypass surgery and suffers from Multiple Sclerosis, and many of her most expensive drugs are not covered by the Ontario Seniors Drug Program. My wife's M.S. has progressed to the point that we must to look for a bungalow where everything is on one floor. Our home's location has meant that it has not kept up with rising house prices and we are having difficulty finding a home we can afford, especially with the prospect of a greatly reduced pension.

My contributions to the pension plan meant that there was little room to invest in RRSP's, although we did invest the maximum we were allowed every year, and managed to save and invest some money throughout my working career. However, we still have not recovered from the market crash in 2006-2007, and have been severely hit by the crash of 2008-2009.

Inflation has also taken its toll on our expenses, and now that my benefits are gone, the prospect of a reduced pension is going to make it very difficult to maintain an independent lifestyle. Our retirement years were based on the knowledge we would have benefits and a defined pension for life.

Contributions to the defined pension plan were mandatory, and the company had agreed to make any necessary contributions to keep it solvent. In many years, the company did not have to make any contributions at all. Now that the pension plan is in deficit, the company has closed the plan and refused to top it up to make it solvent. Although the company's actions are apparently legal, they have a moral obligation to fully fund the plan.

The Federal Government is just finally getting around to examining the many shortfalls of the current pension legislation, but any changes will come too late to be of benefit to myself and other CHCH employees.

Jim McDougall

When I was on the Negotiating team in the Seventies, the pension plan was never in question. It was based on trust, considering our men across the table...McGuire, DeNardis etc. where day to day operations were of the format. I suspect these men would have had no future knowledge of the current happenings, and would be disgusted by them as would anyone.

It was explained that all things were "vested". Frank explained this mentioning his pension was too. In Frank we trusted...and 'til his demise we had no reason not to.

My son and daughter, medically afflicted, will probably have to be pulled from higher learning, lessening their chances of being productive tax-paying citizens, and probably making them dependent on Society.

I shall not be able to attend the meeting on the 25th as my Daughter's future depends on another meeting I must attend during those times.

I should not have these concerns after 39 years of dedication, in the hope that other's lives may be spared potential humiliation.

Bill Duncan

I worked for CHTV for 36 years as Traffic Manager. As a salaried employee, I was not compensated for the overtime I worked and I did not receive any commissions or bonuses.

My retirement plans were made based on my CHTV employee pension expectations, which also entitled me to health, dental and life insurance benefits.

As a retiree of CHTV I am deeply disappointed, in fact I am horrified, that CanWest Global would deny me my full pension. CanWest Global has already denied me my insurance benefits. These benefit costs will have to be borne by myself, thus, putting a substantial burden on my current income.

Any reduction in my entitled pension and benefits will have a negative and unacceptable impact on my current standard of living.

Leo Volpato

I joined the pension plan as soon as I could after 1 year of employment and having reached the age of 21. At some point around 1980 new employees were allowed to opt out of the plan only until the age of 25. We were obligated to make the 5% contribution for 35 years. Although we were not allowed to contribute 5% of overtime, management employees were deducted 5% from any bonuses paid as part of their remuneration agreement. After reaching the 35 year mark we were able to contribute to the "flex plan", a lot of good that is going to do us now.

When I "got retired" I was offered 2 options; one was a 2 year continuation with a 5% increase to compensate for lost bonuses. The second option was a full pension and, as was pointed out to me by Patrick O'Hara, full medical benefits.

The 15 to 23% short fall will certainly create hardship for this family, and anyone who loses their medical benefits could easily see this figure doubled. I won't lose my home, but will most likely be forced to sell and downsize (spelled d-o-w-n-g-r-a-d-e). With my daughter starting high school this fall I still work part time to keep a second car and pay for all those niceties that kids enjoy like cell phones and a lunch every day. I will have to continue to work to buy groceries. (Come and visit me at Wal-Mart.)

I have stopped refilling my prescriptions. I'm hoping the frequent nose bleeds will help keep my blood pressure down. Of course, all of this would be moot if I hadn't developed such bad habits like living indoors and eating 3 meals a day.

Wayne Doan

I gave 31 years of faithful service to CHCH-TV. After the first 12 months of employment I was automatically enrolled in the company's pension plan and mandatory contributions were taken out of my wages through payroll deductions. Upon retirement I signed a contract with CHCH-TV which would guarantee me a specific pension for life, and in the event of my death my spouse would receive 75 per-cent of my pension for the remainder of her life. I see no reason why the provisions of that contract should be changed and I demand to receive no less that 100 per-cent of my pension.

It is not my fault that Canwest made bad business decisions which resulted in its present financial difficulty. I would hope that the Federal Office of the Superintendent of Financial Institutions will require Canwest to top up CHCH-TV's pension plan before allowing it to wind up its financial obligations. I also hope if the CRTC grants CANWEST Carriage fees, that it stipulates that a portion of that fee must go into the CHCH-TV pension fund.

If the pension plans ends up being underfunded by any more that 15-per-cent, it is conceivable that I may have to sell my home and look for cheaper accommodations, in the worse case scenario, move in with one of my siblings.

Bob Ireland

I worked at Niagara Television Limited (CHCH-TV) for thirty-eight years full-time and continued for another five years freelance.

During that time, I spent 29 years working in Production, which involved many hours, preparing scripts, auditioning for programs, sitting in the cold control rooms until early in the morning and then back to work again at 8:00 a.m. for another day of the same long hours (sometimes 14 or more hours on one shift).

For the first thirteen years of my employment, I was not in the Union, so therefore I was only paid salary, with no overtime, or time off, so my workplace was considered my home, and also my entertainment. I was determined to do the best job I could and really wanted to contribute to the success of our Station. It was my "family".

After 13 years of employment, I joined the Union, which gave me more income, but then the workload subsided somewhat, since the cost of paying someone to do the jobs that I had been doing would have been out of the question. The shifts continued, but the hours were more compatible. Then after 29 years in the crew, I decided it would be nice to have Saturdays and Sundays off, so I joined the Newsroom and continued working there for another 9 years. After working on the newscasts I also went to the courts and did the courtroom sketches for the newsroom (being paid \$3 an hour extra per day on court days)....then back to the station to continue working on the Newscasts.

After retiring, I continued to work as Courtroom Artist freelance, until my partner had a stroke. Then I stopped everything to look after him until his death.

CHCH-TV was my life......After retiring, I had a chance to spend 10 years with someone, travel and do the things that I did not have the time to do while working. Now, with a pension decrease, I am not sure if I will be able to continue to enjoy my remaining healthy years as much as I had anticipated. Our pensions do not increase with the cost of living, so with a decrease, it will make the future more difficult for all of us.

Carol Thomas

I was a 32-year employee of CHCH-TV. As a reporter, news anchor, host and producer I covered both community, national and international events and interviewed everyone from Prime Ministers to movie stars and ordinary Canadians in between, winning the respect and loyalty of viewers across Ontario and Canada. I co-hosted the annual McMaster Children's Hospital Telethon for 17 years and the YMCA's Breakfast with Santa volunteering my time, served coffee at Tim Horton's Camp Days and Big Macs for McHappy Day, addressed service clubs and emceed fundraisers, again, on my own time... representing CHCH.

As host of every major newscast at one time or another, my face was synonymous with CHCH and this familiar face helped win strong ratings consistently leading to commercial sponsorship revenue.

My community involvement representing CHCH earned me (the station) Woman of the Year in Burlington and Hamilton, a Paul Harris Fellow by Rotary, Sertoma's Service to Mankind Award, Hamilton Health Science's Cornerstone Award, The Queen's Jubilee Medal, a Premier Award's Nomination and the Ontario Association's Howard Caine Memorial Award, just to name a few.

My Christmas Specials and weekly interview show Straight Talk engaged our community by celebrating its generosity and compassion and examining issues in a respectful and candid environment.

I was dismissed as an on-air personality a year ago due to down-sizing and allowed to take early retirement at a significantly reduced level. The partial salary continuance promised me in a legally binding contract ended only months into the agreement.

I believe I helped define the face of CHCH-TV for three decades. My commitment to accuracy, sensitivity to those I interviewed, good storytelling and a strong and positive relationship with our viewers contributed to the value and stature of CHCH-TV within the industry, the regulatory body and greater community itself.

Along with my fellow retirees; the camera operators, editors, producers and former managers, I had the good fortune to work with for so long, I share a feeling of betrayal and conviction that justice must be served. We deserve the pensions we were promised and are owed.

When giant organizations can get away with walking away from their obligations to the people at the grassroots level, employees who in many cases, and in good faith, devote their adult lives to building that organization's equity, brand and success, there is something severely wrong with our society.

Where is basic fairness and accountability?

I wonder what kind of a message this sends to the workforce of tomorrow?

Thank you for your time and consideration.

Connie Smith

I started at CHCH-TV in 1961 as a Studio Assistant and worked my way up to a General Operator (Cameraman) in 2 years.

As a Cameraman I worked most weekends covering College Sports, Junior A Hockey, Tiny Talent Time, as well as many News Information shows. I also got to cover 2 Olympics here in Canada, The Queens visits, the Popes Tour, and many Elections. Some of the Major Sports I worked on were NHL Hockey, CFL Football, both American and National League Baseball, and professional Soccer.

After 30 years working on the Studio and Remote Crews I transferred into NEWS as a Cameraman doing studio and field work.

When I retired I was told that my pension options would set for life of myself and my wife.

Now if I have to take a pension reduction it will be a slap in the face from an industry that I work in for 35 years. It will also cause a lifestyle change from which we were planning on having after contributing to a Mandatory Pension and also contributing to RRSPS.

Gary Bishop

I began my career with CHCH in 1971. I started contributing to the pension plan immediately.

Knowing that per the collective agreement if I were to retire after Dec. 2009 I would lose my extended benefits, I contemplated early retirement. I had worked for CHCH for 37 years and had a paid up pension, or so I thought. I had contributed for the required 35 years and assumed the company had done likewise.

After being given figures by the company, I decided that I could retire and survive on a pension that would be reduced by 18%. That was then and this is now...I cannot survive on a further reduced pension...I retired on a figure that the company promised me I would receive for the rest of my life and now I am told that they do not want to honour that promise...it's shameful that I agreed in good faith to retire and now I am going to be punished after 37 years of dedicated service to the company.

Larry Fay

In January, 1959 I was hired by CHCH-TV in the Promotion Department. I retired from this company after working there for 37 years. In my varied roles at CHCH I was responsible for administrative and production assignments supporting management, technical and on-air staff.

These responsibilities were an integral part of CHCH's mission as a major regional broadcaster in southern Ontario. In addition to my in-house functions, on a volunteer basis I participated in numerous community events sponsored by CHCH-TV.

Should there be a 15 - 23% reduction in my monthly pension cheque, it will affect me greatly.

After paying my rent and utilities, there would be barely enough to purchase the necessities (called food!). As a result it would also mean having to move from my present dwelling (where I have resided for 38 years) to a lower income property.

Evelyn Takacs

On April 4, 1960 I became a full-time employee of Niagara Television Limited (CHCH-TV). 35 years later I retired from this company.

During that time I worked for many of the Channel Eleven top management team. They included Kenneth D. Soble, Sydney J. Bibby, Douglas C. Gale, Frank P. DeNardis, Reg McGuire, W. E. Jeynes.

During my days at Channel Eleven very few people EVER retired....however, we ALL paid into the pension fund in an effort to secure our future retirement years. Many of us, including me, rely 100% on receiving our full pension each month.....a reduction in this monthly amount would cause hardship not only for me but for all of us.

To say that ANY reduction in my pension income would be a hardship is putting it mildly!

I have always been self-supporting and have lived in my home for the past 27 years. A pension reduction - however small or large - would have an adverse effect on my standard of living. I would probably have to sell my home and move into an apartment as it would be too difficult to maintain my present standard of living.

Taxes, utilities, groceries, etc. just keep rising.....my pension doesn't change! Any pension reduction would be devastating to me.

Elva Bailey

As a retiree of CHCH - TV Hamilton, a former division of CanWest Global Communications, I am greatly troubled by their stampede-handling of our pension plan wind-up.

They announce that the plan is to be closed as of August 31/09 but do not/will not provide, to those who it concerns the most, any financial information regarding the plan's solvency or deficiency.

In their haste to divest the onerous debt that they themselves took on, they are now abandoning the CHCH Pension Plan with a 15 to 23% deficiency while paying retention bonuses to key Canwest executives and employees.

The aforementioned deficiency is an estimate based on a Dec31/08 actuarial report that had to be ordered by the Office of the Superintendent of Financial Institutions. Indeed, that report to OSFI was supposed to have been filed on Aug31/09 but has only recently become available.

Curious that John Douglas, VP of communications for Canwest, was quoted (Hamilton Spectator July 29/09 regarding the pension closure), "We are going to follow the law of the land and wind it up" and the same "law of the land" had to force them to produce a report that will mean they will have to pay additional money towards the pension deficiency.

Personally, my CHCH pension income will be decreased between 4 to 6 thousand dollars annually. A significant amount that impacts the living expenses/prescription costs of my family for the rest of our lives.

The CHCH pension plan was in surplus when I retired in Sept.09, and while I realize that all plans have been affected by the financial crisis of the past year, CHCH employees did not get "contribution holidays" or any say in how the plan was invested. Canwest can say that it was their plan to administer as they saw fit, but with that comes the responsibility to ensure its solvency, not to walk away and say "too bad, how sad".

Pensions are a trust, a promise that CHCH employees earned through their years of service, a promise that CanWest must now honour! While they may have the right to close our pension plan, they have the obligation to at least ensure the plan is 100% funded when it's closed.

My entire employment at CHCH (31years, 8months) was with the news department as an editor/cameraman. During that time I covered a myriad of news, sports and community events both locally and throughout the province and beyond. In our duties my colleagues and I were the "face" of CHCH to many of those in Hamilton and the surrounding area. I feel that we, both in the news department and throughout station, provided a vehicle for many of the cities and towns in our broadcast area to be able to share their stories and concerns with others throughout Southwestern Ontario. It contributed to what made CHCH one of the most successful stations in Canada.

How sad it's now sold off under "fire sale" conditions and former employees are treated as "bad debts".

Grant Anton

I was an employee of CHCH-TV for 32 1/2 years in television operations and production. During that time I contributed to the Defined Benefit Pension Plan - this was not an option. This pension plan has always been the cornerstone of my retirement planning. My contributions to this pension plan restricted the amount I could contribute to my RRSP under Federal Tax Laws.

I retired in August, 2002 with an annual pension income of \$28,380. (net of taxes). My wife is now retired and does not have a pension plan. We are relying on my pension for our retirement income. I am 62 and my wife is 61. Any reduction to our modest monthly pension cheque of \$2,365.30 (net of taxes) would severely affect our cash flow as we are currently just making ends meet.

During my employ at CHCH-TV, I contributed in good faith with the understanding and employer promise that my pension would be secure. I fulfilled my contribution obligation and I expect Canwest to do the same.

Canwest should not be allowed to morally, ethically or legally walk away from fully funding our pension.

Jim Cooney

Reasons that Canwest Global Communications (Canwest) should fund the deficiency in the CHCH TV pension plan so that retirees receive 100% of what we have earned and why we will not settle for less:

- * Most retirees of Canwest are on fixed incomes which are not indexed to inflation. To have a decrease in pension income, while ongoing inflation means that we must all pay more for goods and services we need, would cause financial hardship for retirees. A Statistics Canada release of November 18, 2009 provides some information about recent price increases:
- -In October, six major components in the CPI recorded price increases. Higher prices were most significant in food, household operations, furnishings and equipment, and recreation, education and reading.
- -On a seasonally adjusted monthly basis, the CPI rose 0.4% from September to October, after rising 0.1% from August to September.
 - -The seasonally adjusted monthly CPI has gone up in five of the past six months.
- -Major components in the CPI recording price increases in October were: food; household operations, furnishings and equipment; recreation, education and reading; health and personal care; clothing and footwear; and alcoholic beverages and tobacco products.
- -Food prices went up 2.3% during the 12-month period to October, on the heels of a 2.8% rise in September. October's increase was the smallest since May 2008.

Food costs continued to be pushed up by higher prices for food purchased from stores (+2.1%). Prices for meat increased 2.1% while prices for fish, seafood and other marine products rose 7.9%.

Price increases were also observed for dairy products and eggs (+1.7%) and food purchased from restaurants (+2.7%).

- -Higher prices for household operations, furnishing and equipment were widespread. Upward pressure came from costs of household goods and services, household furnishings and equipment, child care and domestic services, and communications.
- -As well, recreation, education and reading costs advanced 1.5% year over year in October. Major contributors to the increase were tuition fees (+4.1%) and reading material and other printed material (+6.8%).
 - -Broad-based price advances occurred in the health and personal care component (+3.4%).
- -A 7.2% increase in homeowners' maintenance and repairs costs and a 4.3% rise in property taxes added to cost increases.

Consumer prices rose at the fastest pace in Quebec and New Brunswick, both at 0.5%.

In Ontario, consumer prices increased 0.2%. The growth was due primarily to the rise in passenger vehicle insurance premiums (+11.3%) and property taxes (+5.5%). As well, the cost of electricity went up 8.2%.

The <u>Bank of Canada's core index</u> advanced 1.8% over the 12 months to October, following a 1.5% rise in September.

The seasonally adjusted monthly core index increased 0.2% from September to October, following a 0.1% increase in September.

- * As employees of CHCH-TV, we had no choice but to pay a percentage of our wages into the pension plan. The company provided each employee with an annual statement showing how much pension he or she should expect to receive in retirement. This pension, in our minds, formed an important part of the total remuneration provided to us from doing the jobs we did. We worked hard at our jobs, often working long hours at any time of the day or night, all the while being assured that, at the end of it all, we would receive a good pension for life.
- * As members of a pension plan, our individual RRSP contributions were severely limited as a result of the Pension Adjustment factored into our RRSP contribution limits calculated by Canada Revenue Agency. Accordingly, we cannot have made RRSP contributions sizable enough to accumulate large amounts inside of our RRSP's, but we expected to have adequate incomes in retirement because of the pensions we were told we would receive.

If we do not receive the pension payments promised to us by the company, we will have lost doubly; by both significant drops in pension income, and also by a lack of adequate RRSP funds to draw on in retirement.

To receive less than our promised pension amounts would be unconscionable.

As for myself, I have suffered significant financial disasters, and rely on my pension in order to pay for living expenses. Going back to work is not an option, because employers don't often look to hire older people. It's mandatory that we all receive our proper, promised pensions. Anything less would be a huge injustice, to put it mildly.

Bill Tugby

I have contributed thirty years of faithful service to the company in the television mobile, enduring exceedingly long hours but never minding because I enjoyed the company I worked for.

The reduction in my monthly pension payment may likely necessitate the sale of the home we dearly love and to make matters worse, sell at a loss in this market.

Steve Arany

I was a writer producer in CH station promotions and then commercial production for over twenty years. My work involved promoting the station's brand and its programming, and keeping a large local and national advertising clientele happy with fresh campaigns and generating revenue for the station. I took great pride in doing my job and never imagined that with the ownership change to CANWEST Global that I would be fighting for my financial survival after deciding to retire in January 2008.

My main reason for writing this submission is to make Canwest aware of some of our retiree life situations ...that will be adversely affected as Canwest tries to slip out the backdoor from their contract bound and moral obligation to top up the employee pension fund before winding it down in 2010.

We have several families who are currently dealing with battling various cancer issues, some who have undergone life changing surgeries, and for these folks like all of us retirees to have to face the possibility of losing a pension they worked so hard for especially at this time, is unconscionable and totally unacceptable.

We all believed that a working hard and delivering a top broadcast product was the order of the day and through many tough negotiations with CH's long list of owners, we built one of the most respected pension plans in the Canadian television industry. Keeping this plan intact and getting it fully funded is our request and our right.

I call on federal regulators, Mr. Leonard Asper, Canwest and all relevant parties participating in this most crucial fight to save and maintain our employee pensions to remember that these are not just names on a list to be discarded, but actual people whose lives do not deserve to be decimated by any corporate "exit strategy" Shenanigans.

Steve Lambert

Retirement does have a dramatic effect on one's lifestyle, particularly if your pensions do not reflect entirely your whole life's employment record. We do budget and try to live within our means.

In our case, living in a rental apartment for many years, the rent does tend to increase on an annual basis. This puts a strain on trying to budget on a fixed income. Certain expenditures may have to be curtailed to make up for these increases. Any reduction in our monthly income will have a serious effect on our ability to remain in our existing residence, possibly requiring relocation to a more affordable accommodation.

The cancellation of our benefit plan is a shock. At our ages (78 and 74), we need medications to combat certain health issues. Both of us wear eyeglasses which require periodic adjustments as our vision deteriorates. The same applies to our dental costs as the years have eroded teeth that require repairs. The cancellation of the \$5,000.00 death benefit is quite a blow for funeral expenses can be quite high.

My wife had been a medical secretary for more than 35 years. She is presently looking for some part-time employment with anyone in the medical profession in order to supplement our income. But it is very difficult, because who wants to hire a 74 year old?

My wife and I are disturbed by the Canwest Global situation that would have quite a detrimental effect on our lifestyle. We feel that they should have the decency to top up the pension fund so that we pensioners can continue to receive 100% or our hard-earned pensions AND benefits.

Walter Mozewsky

I worked for CHCH TV as an Engineer for 20 years. I immigrated to Canada from a Communist Country to follow a dream, which was a better life for me and my Family, but this dream suffered a big set-back with our current Retirees situation.

During my work years, I suffered a work related injury, which forced me to early retirement with severely reduced pension. We set up our life for this income without any complaint. But now it seems to me we are facing a difficult set back.

It is very inhuman conduct from CanWest Global not to fill up our pension fund, and this situation brought me a major problem with our Government. It seems to me, they let them do that.

CanWest bought CHCH TV with knowledge of their responsibility, to obey the Contract, but they failed to do so.

The Communist could do anything with the People they wanted; we had no rights and protection, and now what I experience in Canada?

The difference is, the company can do anything with their workers and Retirees, what they want, and the Government does not protect us.

This is not right. CHCH TV was a part of a prosperous Company but the negligent management let the Company down,

And now they want the Retirees to pay for their catastrophically mistake.

Please help us to defend our rights, for our deserved pension we worked for.

Thank you for your help up front.

Steve Gal

MY PENSION IS MY LIFE! I was an employee for over 32 years. During this time I worked in the COPY Department, Film Librarian, Film Editor, Telecine Operator, and VTR Screener.

As pensioners, we never received cost of living increases!

Our union has always bargained in good faith, without striking, and without any interruptions to programming.

Always, we considered CHCH-TV as family!

Helen Orban

I worked for CHCH TV for 19 and ¼ years during which time I served in various production roles as well as senior management roles in both the production and marketing departments. I am a deferred member of the CHCH TV Employees Pension Plan.

When I left CHCH TV in 1993 as a result of management restructuring, I decided to leave my investment in the CHCH TV Employees Pension Plan right where it was. At the time, I felt that this was the safest place for my investment and a wise decision for my future. After all, these were mainly deferred wages that eventually I would be paid, or so I was promised.

I counted on the fact that the promises made to us by our owners that our pensions would remain whole would be honoured. At that time, there was no reason to mistrust their intentions. Since this was a difficult time in my life, I felt that this was one thing I could count on.

Now as I reach retirement age, I find that it is probable that the funds I had counted on from this pension will be significantly reduced, forcing me to continue to work at my present occupation well past the commonly held retirement age. Whether or not my current employer and the work that I perform will even allow me to do this is another story.

Had I known that this was a 'corporate gambling game' and not a 'corporate trust', I would have withdrawn all of the money owed to me from the CHCH TV Employees Pension plan in 1993. Canwest and its predecessors have had years to invest MY money wisely. I had no say in how they did this. They also have had years when they did not make any contributions at all since the plan was fully funded. CHCH TV employees did not have this option.

Ethical companies accept responsibility for their actions. Accountable companies fulfill their obligations and commitments. Moral companies do the right thing by their employees, in particular the retirees upon whose backs those companies have built their successes. Is Canwest an ethical, accountable and moral company? I guess we'll find out.

Rose Stricker

Please tell me - When did I and the other CH Retirees lose our right to expect to be treated fairly, humanely and respectfully?

Short Story:

Born and raised in Toronto East End, 1943. Married with two sons – with an approx. 4 year age difference. Working was necessity as I ended up being the major earner for my family. At that time you did not get maternity leave, nor maternity benefits, nor was your job kept waiting for you. After the birth of my last son in Feb. 1966, without qualifying for any EIU-because you couldn't claim unless you were able and willing to work – and they found me a job which I started on May 1st at the Television Bureau of Advertising. This was a small 10 person non-profit industry association which did not have any pension plan available for their employees. I worked there for 22 years and I must admit I really did enjoy it as it was working with the TV stations across Canada. I was divorced in 1985. In 1988 I was offered a position with CH-TV by a former TvB employee and I jumped at the chance, for they had a good benefit and pension plan. I started working at CH-Hamilton in March of 1988. Back then CH had employee picnics, golf tournaments, Christmas get-togethers, And all of these get-togethers were open to all the retirees – so it really made it a CH-TV family affair.

When Global applied to buy CH-TV (Western Broadcast Sales) they "welcomed us to the Global family" and asked us not to oppose the sale -they were going to do so much good for CH??? Well in 2002 when they basically stripped the station and took everything to Toronto except for the news and sold off the mobiles and laid off a number of people and forced others to retire – they stopped caring about CH-TV altogether.

So, after 14 years at CH-TV and contributing extra to my pension for a possible bridge to retirement... I was forced to retire at the age of 60. Do you know how hard it is for a woman of 60 to find a job? And do you realize how much you lose if you are forced to take the Canada Pension early $-\frac{1}{2}$ % for each month or 6% a year – so to take early retirement from the CPP at the age of 60 - you have to give up 30%.

Now I don't have a big pension from CH-TV (Global) because I only had 14 years in, I now receive \$635.00 a month – that is not a lot. But if I lose 5, 10, 15 or 25% it certainly adds up – and why should I be forced to accept this or why should the other retirees, most of whom will suffer more?

CH told me to contribute so much a month – which I did – we were never told we didn't have to contribute because there was a surplus, nor were we ever asked to contribute because of a shortfall. Each and every member of the CH-TV Pension Plan whether they were already retired or not – had and were contributing to the CH-TV Pension Plan as per all the rules and regulations thinking they were secure in knowing their pensions were intact.

Joyce McAlpine

I am a Canadian of Japanese descent. I was born in Vancouver January of 1920.

The first twenty odd years of my life was fairly normal. There was quite a bit of discrimination against us but we managed to eke out a living by building and repairing fishing boats.

On that fateful day December 7, 1941 when Japan bombed Pearl Harbour, our life changed for the worst. My father and we three brothers were interned to a road camp in the interior of British Columbia. After a year we moved to Ontario to work on a farm. After one season on the farm we moved to Hamilton in 1942.

To prove my loyalty, I enlisted in the Canadian army in 1943, and fought against Japan in India and Burma. After the war in 1953 I managed to acquire a job at CHCH TV as a transmitter technician. I worked at CHCH TV until 1981. During the last few years at the station, I had elevated blood pressure (work related condition). My doctor advised me to retire. I took early retirement.

I retired four years short of my retiring age, my pension reduced. Now that CHCH TV is sold, my pension will be reduced some more. If that occurs I will be spending more of my savings and I do not know if I will be able to sustain myself financially.

I would like to have some help from the government in this matter.

James Miyasaka

My name is P.S., widow of Bill, married for fifty years, widowed for three. Bill worked for 30 years in the News room of CHCH. He was honest, hard working and proud to be associated with the station.

When he was very ill and in hospital he requested I bring in his retirement and medical papers so he could review them. He left this world thinking I would receive his pension till I die. I have the papers that state this. Not only do I not have Bill with me to help care for our daughter Janice who has Multiple Sclerosis, I run the risk of losing my income which Bill contributed towards for 30 years.

Please don't let this happen.

Pauline Shackleton Age 71

I have worked at CHCH TV for the past 36 years and was forced to retire before December 31 2008 or face the consequence of losing my health and dental benefits thus costing me a 6% reduction in my pension. I was able to make up the difference by paying for the loss from a flex pension plan that I solely contributed to. I was willing to accept this penalty and make up the difference myself in order to guarantee my medical benefits and allow me to have a full pension so I would be able to maintain an adequate lifestyle. However I do not believe that I will be able to easily accept a further erosion to my pension of 15 to 25 percent due to the fact that CanWest takes the stance that they are not obliged to top up the pension so it is 100 percent funded before it winds down the pension.

The majority of our pension plan consisted of contribution made by its members and CanWest only contributed if there was an under-funded situation. Our pension has never been in an under-funded position until the 2008 report.

There are several things that I feel are underhanded. Normally when you sell a company the new owner assumes the existing pension responsibilities but not in this case with Channel 0 why? CanWest made it known that the sale would not go through and the station would be shut down and everyone would be out of a job unless the employees in the union signed a new contract with the pension excluded. That way Channel 0 would have no obligations to the pension and CanWest would be able to wind it down.

There should be a law to protect people and their pension from situations like this.

When I retired from the station I signed a document stating that I would receive a certain amount of money monthly and now that CanWest is winding down the pension with it not being fully funded it is not possible to receive the amount that I thought I would get.

I feel it is morally wrong for CanWest to run away from this obligation and the Asper family should feel ashamed of themselves by hurting so many people by not putting ten million dollars towards this pension.

Chuck Harris

My name is John N. Stone and I was an employee at CHCH TV for some thirty-four (34) years. Since that time numerous companies have purchased this station, the latest being Canwest Global. During my years at CHCH TV, I served on the pension committee – for many years as its treasurer for the employees. The pension plan was set up that both the employees and management paid into it and became the Niagara Television Limited Pension Plan.

I contributed to this pension plan at CHCH TV Niagara Television Limited from October 6, 1964 until my retirement in 1997 - as you can see for many years. When my retirement date got closer it was explained to me that it would be registered as a 100% joint annuity continuing to my spouse and that it would continue on until such time as our deaths.

Today I was informed by the group representing Canwest Global that they want to call in all pensions from the retired employees and make out annuities which could reduce our pension by as much as 6 to 25 %.

I or anyone of my peers should not suffer from this decision coming out from Canwest Global. We all retired in good faith with what was told to us at the time. My intentions to retire after 34 years were to be able to spend some time with my grandchildren since I had cancer, and at the same time give some younger person a chance to get a job. For the past 12 years that I have been retired I have not had a raise in my pension.

Hard work by employees over the years has made companies very profitable. Now we need to make sure at retirement that there is a life for all of us and our families.

John Stone

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December 2009