Case In Point

Supreme Court of Canada Renders Decision in *Indalex*

Date: February 1, 2013

Today, the Supreme Court of Canada rendered its long-awaited decision in Sun Indalex Finance, LLC v. United Steelworkers. The decision contains important findings with respect to, among other matters, the fiduciary duties of plan administrators, the reach of the statutory deemed trust provisions of the Ontario *Pension Benefits Act*, and the priority given to pension plan deficits in proceedings under the *Companies' Creditors Arrangement Act*.

Hicks Morley's Pension and Benefits Group's review of the decision is now available in an *FTR Now* dated February 4, 2013, "Supreme Court of Canada Weighs in on Plan Deficits and the Fiduciary Duty of Pension Plan Administrators in an Insolvency: *Sun Indalex Finance, LLC v. United Steelworkers*."