

RE_ Pension Comparison - question and timelines confirmation.rtf

From: Hatzis, Len (TBS) []
To: Murray Gold [mgold@kmlaw.ca]
Subject: RE: Pension Comparison - question and timelines confirmation
Date: Tuesday, September 20, 2016 12:44:29

thanks

From: Murray Gold [mailto:mgold@kmlaw.ca]
Sent: September 20, 2016 12:41 PM
To: Hatzis, Len (TBS)
Subject: Re: Pension Comparison - question and timelines confirmation

Draft today by 4:00 pm.

Murray Gold
Partner
T: +1 416-595-2085 | F: +1 416-204-2873 | E: mgold@kmlaw.ca
Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3
kmlaw.ca
Original Message
From: Hatzis, Len (TBS)
Sent: Tuesday, September 20, 2016 11:21 AM
To: Murray Gold
Subject: Re: Pension Comparison - question and timelines confirmation

Murray
Any update re: when I can expect a draft or final of this pls - thanks

Sent from my BlackBerry 10 smartphone on the Rogers network.
From: Murray Gold
Sent: Monday, September 19, 2016 9:10 AM
To: Hatzis, Len (TBS)
Subject: Re: Pension Comparison - question and timelines confirmation

Yes.

Murray Gold

Partner

T: +1 416-595-2085 | F: +1 416-204-2873 | E:

mgold@kmlaw.ca<<mailto:mgold@kmlaw.ca>>

Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3

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Original Message

From: Hatzis, Len (TBS)

Sent: Monday, September 19, 2016 9:10 AM

To: Murray Gold

Subject: Re: Pension Comparison - question and timelines confirmation

Can we chat at 930?

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Murray Gold

Sent: Monday, September 19, 2016 9:03 AM

To: Hatzis, Len (TBS)

Subject: Re: Pension Comparison - question and timelines confirmation

Len,

500/hr is ok.

Do you have a retainer? We should be clear about conflicts. Something along these lines:

"Counsel works for the Ontario Teachers' Federation ("OTF") in regard to its role as sponsor of the Ontario Teachers' Pension Plan, and has worked for the Board of Trustees of the OPTrust. Counsel and the client agree that Counsel has no conflict of interest in the performance of the work or in Counsel's ongoing representation of the OTF."

Do you have a moment to talk? 416 509 2525.

Murray

Murray Gold

Partner

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mgold@kmlaw.ca<<mailto:mgold@kmlaw.ca>>

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Original Message

From: Hatzis, Len (TBS)

Sent: Monday, September 19, 2016 8:36 AM

To: Murray Gold

Subject: Fw: Pension Comparison - question and timelines confirmation

Murray

Can you advise please re rates associated with this. Ministry of the Attorney General will not likely go above 500/hr but can you advise as to your thoughts on this. Thanks

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Hatzis, Len (TBS) <Len.Hatzis@ontario.ca>

Sent: Friday, September 16, 2016 10:12 PM

To: Murray Gold; Veinot, Cindy (TBS); Petsche, Nadine (TBS); Kaufman, Paul (TBS)

Subject: Fw: Pension Comparison - question and timelines confirmation

Murray

Please see the additional comment from our client re the issues involved. Thank you

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Petsche, Nadine (TBS) <Nadine.Petsche@ontario.ca>

Sent: Friday, September 16, 2016 8:46 PM

To: Kaufman, Paul (TBS); Hatzis, Len (TBS)

Subject: RE: Pension Comparison - question and timelines confirmation

Paul/Len,

Not sure if it's feasible, but given the AG's focus on level of 'uncertainty' associated with the ability of the Province to benefit from the assets, if the analysis can also address how the plans differ in that regard as well, it would be very beneficial to our position.

N

From: Kaufman, Paul (TBS)

Sent: September 16, 2016 8:38 PM

To: Hatzis, Len (TBS); Murray Gold

Cc: Veinot, Cindy (TBS); Petsche, Nadine (TBS)

Subject: Pension Comparison - question and timelines confirmation

Hi Murray -

To confirm our discussion, you are going to provide a comparative legal/governance analysis of how the frameworks for the two Ontario pension plans we identified (OTPP and OPSEU) and the four BC plans we identified (municipal, teachers, college, public service) compare on the issue of the authority of the pension boards and the plan partners to determine the utilization of plan surpluses. Your preliminary thinking is that in Ontario this determination is left to the partners, while in BC either the boards or the partners can make this determination.

You expect that you can provide this analysis by Monday or Tuesday.

We've provided the relevant joint trust agreements for the plans noted above and you don't expect that you need further documentation from us to respond to this request, but you will let us know if any need arises.

Cindy, if the above is inconsistent with what you are looking for please advise.

Paul

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Re_Pension Comparison.rtf

From: Hatzis, Len (TBS) []
To: Murray Gold [mgold@kmlaw.ca]
CC: Kaufman, Paul (TBS) [Paul.Kaufman@ontario.ca]
Subject: Re: Pension Comparison
Date: Friday, September 23, 2016 12:56:14

Thanks

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Murray Gold
Sent: Friday, September 23, 2016 12:53 PM
To: Hatzis, Len (TBS)
Subject: RE: Pension Comparison

You'll have it this afternoon.

Murray Gold
Partner

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Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3
kmlaw.ca

-----Original Message-----

From: Hatzis, Len (TBS) [mailto:Len.Hatzis@ontario.ca]
Sent: September-23-16 12:52 PM
To: Kaufman, Paul (TBS); Murray Gold
Subject: Re: Pension Comparison

Murray

Any update pls as we do require a final opinion as soon as possible. Thanks

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Kaufman, Paul (TBS)
Sent: Thursday, September 22, 2016 2:33 PM
To: Murray Gold
Cc: Hatzis, Len (TBS)
Subject: RE: Pension Comparison

Murray, our client has had a chance to review the draft opinion that you provided. Could you please let us know if it is possible to reflect anything in the opinion on the following points:

- In BC's consolidated financial statements, they note in respect of the BC public sector

pension plans that “The Province participates as a plan employer in each plan. Provisions of these plans stipulate that the province has no formal claim to any pension plan surplus or asset. The boards are fully responsible for the management of the plans, including investment of the assets and administration of the plans. The Pension Corporation provides benefit administrative services as an agent of the boards of trustees.” Is it possible to reference a distinction in regard to the highlighted section – i.e. whether the agreements in respect of the BC plans and the Ontario plans differ in this regard, and if so what the implications would be in respect each province’s expectation of receiving a benefit from a surplus in the respective plans?

- Does the discussion on page 3 of the opinion about the two equal pools under the OPTrust mean that the province has an unilateral right to use the funds in the pool that are to be used for the Province’s benefit? If so it would be helpful if that ability could be clarified.

- Could the opinion be addressed to Len rather than to Cindy.

Paul

Paul Kaufman
Counsel

Ministry of the Attorney General | Legal Services Branch | Treasury Board Secretariat
9th Floor, 77 Wellesley Street West, Ferguson Block, Toronto, ON M7A 1N3
Phone: 416-327-7012 Fax: 416-325-9404

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From: Murray Gold <mgold@kmlaw.ca<<mailto:mgold@kmlaw.ca>>>
Sent: Tuesday, September 20, 2016 7:59 PM
To: Hatzis, Len (TBS)
Subject: Pension Comparison

Here is draft with more detail on the transitional periods, per our discussion.

[cid:image001.png@01D214DE.3C4C8A30]<<http://www.kmlaw.ca/>>

Murray Gold
Partner

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Re_urgent request - teachers pension.rtf

From: Hatzis, Len (TBS) []
To: Murray Gold [mgold@kmlaw.ca]
CC: Kaufman, Paul (TBS) [Paul.Kaufman@ontario.ca]
Subject: Re: urgent request - teachers pension
Date: Friday, September 16, 2016 17:56:34
Attachment 1: logo_d1ac01ba-f783-4248-82df-84549cb6f0b7.png

Murray

Paul will connect with you - we do need some work done - do you have a number we can reach you at. Paul can flip you the relevant documents as well

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Murray Gold
Sent: Friday, September 16, 2016 3:12 PM
To: Hatzis, Len (TBS)
Cc: Kaufman, Paul (TBS)
Subject: RE: urgent request - teachers pension

Len/Paul,

Did you want to proceed with anything here? I haven't heard anything today.

Murray

<http://www.kmlaw.ca/> Murray Gold

Partner

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[kmlaw.ca](http://www.kmlaw.ca)

From: Hatzis, Len (TBS) [mailto:Len.Hatzis@ontario.ca]
Sent: September-15-16 5:27 PM
To: Murray Gold
Cc: Kaufman, Paul (TBS)
Subject: urgent request - teachers pension

Hi Murray

I work with Cindy V, provincial controller – can we chat about an urgent legal opinion request. Thank you

Len Hatzis

Deputy Director

Legal Services Branch | Treasury Board Secretariat

77 Wellesley Street West, 9th Floor, Toronto ON M7A 1N3

416.327.6393

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**KOSKIE
MINSKY**
JUSTICE MATTERS

Re_urgent request - teachers pension.rtf

From: Hatzis, Len (TBS) []
To: Murray Gold [mgold@kmlaw.ca]
CC: Kaufman, Paul (TBS) [Paul.Kaufman@ontario.ca]
Subject: Re: urgent request - teachers pension
Date: Friday, September 16, 2016 19:05:15

Murray
Can we chat at 8 tonight pls:

Conference Call Info:

416-212-8011 or 1-866-602-5461

Participant pass code: 4944451#

Moderator PIN: 5672#

From: Murray Gold
Sent: Friday, September 16, 2016 6:02 PM
To: Hatzis, Len (TBS)
Cc: Kaufman, Paul (TBS)
Subject: Re: urgent request - teachers pension

I can talk briefly at about 8:00 pm tonite ot tomorrow - when is good for you?

Murray Gold
Partner
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Koskie Minsky LLP, 20 Queen Street West, Suite 900, Toronto, ON. M5H 3R3
kmlaw.ca
Original Message
From: Hatzis, Len (TBS)
Sent: Friday, September 16, 2016 5:56 PM
To: Murray Gold

Cc: Kaufman, Paul (TBS)
Subject: Re: urgent request - teachers pension

Murray

Paul will connect with you - we do need some work done - do you have a number we can reach you at. Paul can flip you the relevant documents as well

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To: Hatzis, Len (TBS)
Cc: Kaufman, Paul (TBS)
Subject: RE: urgent request - teachers pension

Len/Paul,

Did you want to proceed with anything here? I haven't heard anything today.

Murray

[cid:logo_d1ac01ba-f783-4248-82df-84549cb6f0b7.png]<<http://www.kmlaw.ca/>> Murray Gold

Partner

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From: Hatzis, Len (TBS) [<mailto:Len.Hatzis@ontario.ca>]
Sent: September-15-16 5:27 PM
To: Murray Gold
Cc: Kaufman, Paul (TBS)
Subject: urgent request - teachers pension

Hi Murray

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Len Hatzis
Deputy Director
Legal Services Branch | Treasury Board Secretariat
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