# Deloitte.

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October 28, 2015

Notice to depositors of the Lutheran Church – Canada, the Alberta – British Columbia District Investments Ltd. ("District Investments" or "DIL") who hold Registered Retirement Income Funds ("RRIF(s)") or Locked-in Income Funds ("LIFs")

As you are aware, District Investments obtained an Initial order under the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36, as amended (the "**CCAA**") on January 23, 2015. Deloitte Restructuring Inc. acts as the Monitor in the CCAA proceedings (the "**Monitor**").

In the Monitor's letter dated October 13, 2015, depositors of DIL (the "**DIL Depositors**") were advised as follows:

- On August 28, 2015, the Court of Queen's Bench of Alberta (the "Court") had approved an interim distribution for up to \$15.0 million (the "DIL Distribution") from DIL's registered retirement savings plans to new registered retirement savings plans held by Great-West Life Assurance Company ("GWL"); and
- 2. DIL Depositors must contact Yellow Raincoats Benefits Consultants ("Yellow Raincoat") to set-up their account(s) with GWL in order to participate in the DIL Distribution.

Since sending that letter, the Monitor has been advised that, due to technical difficulties with GWL's software system for RRIFs and LIFs, GWL cannot accept transfers into RRIF or LIF accounts until following January 2016. In order to allow DIL Depositors, who hold RRIFs and LIFs, to access the funds available to them pursuant to the DIL Distribution in a more timely manner, DIL will be making an application to the Court on November 5, 2015 requesting that the Order that was granted approving the DIL Distribution be amended so that DIL Depositors who hold RRIFs and LIFs can transfer amounts payable to them pursuant to the DIL Distribution to an alternate registered account of their choosing.

The purpose of this correspondence is to provide DIL Depositors, who hold RRIFs or LIFs, with instructions on how to access the amount that is available to them pursuant to the DIL Distribution, as reflected in the attached Statement.

# What you need to do:

# To access the amount payable to you under the DIL Distribution

Contact your existing investment advisor to have them request a transfer from DIL to another RRIF or LIF. The contact person at DIL is Candace Rivet, who can be reached by telephone at 1-888-474-0063 ext. 101,

via email at <u>CRivet@lccabc.ca</u> or via mail at 7040 Ada Blvd., Edmonton, AB T5B 4E3. <u>This transfer will</u> <u>be contingent on the Court approving the District Group's application on November 5, 2015 and should be</u> <u>requested after that date</u>. Should the Court not approve this application or should any further changes <u>occur</u>, further correspondence will follow.

### To access amounts payable to you pursuant to DIL's Plan of Arrangement (the "DIL Plan")

DIL Depositors who hold RRIF Accounts must still contact Yellow Raincoat to set up new registered accounts for their RRIFs or LIFs as future distributions to DIL Depositors pursuant to the DIL Plan will still be payable through GWL. DIL Depositors can reach Yellow Raincoat by telephone at 1-888-365-5681, via email at <u>info@yellowraincoat.ca</u> or via mail at Suite 102, 718 – 12<sup>th</sup> Avenue SW, Calgary, AB T2R 0H7.

We note that payments pursuant to the DIL Distribution for all accounts held within DIL that are not RRIFS or LIFs will only be payable through GWL.

#### Tax Opinion

As previously reported, the DIL Distribution was contingent on the Monitor receiving a tax opinion with respect to any impact that the DIL Distribution may have for DIL Depositors (the "**Tax Opinion**"). The Tax Opinion was prepared by the Monitor's legal counsel, Gowlings Lafleur Henderson LLP ("**Gowlings**"). The Tax Opinion relied on specific facts, assumptions and qualifications set out therein. Based on their review, Gowlings opined that "none of an Old Deferred Plan, New Deferred Plan and annuitant or holder, as the case may be, thereof should be subject to any adverse tax consequences merely as a result of the transfer of funds from an Old RRSP to a New RRSP, of the same annuitant, from an Old RRIF to a New RRIF, of the same annuitant, or from an Old TFSA to a New TFSA, of the same holder. In fact, the Tax Act explicitly provides for the tax-deferred transfers of property in this manner".

The Monitor notes that DIL Depositors, who hold RRIFs and LIFs are responsible for ensuring that the new registered account into which they transfer their payment pursuant to the DIL Distribution is of the same type as that held by DIL. RRIF Holders should seek advice from their own investment advisor in that regard.

Should you have additional questions, please contact Joseph Sithole at 1-587-293-3203.

Yours truly,

#### DELOITTE RESTRUCTURING INC.

In its capacity as the Court-appointed Monitor of Lutheran Church – Canada, the Alberta – British Columbia District, Encharis Community Housing and Services, Encharis Management and Support Services and Lutheran Church – Canada, the Alberta – British Columbia District Investments Ltd. and not in its personal or corporate capacity

Vanessa Allen, B. Comm, CIRP Vice-President