

March 13, 2014

Le 13 mars 2014

Coram: LeBel, Karakatsanis and
Wagner JJ.

Coram : Les juges LeBel, Karakatsanis et
Wagner

BETWEEN:

ENTRE :

Invesco Canada Ltd., Northwest & Ethical
Investments L.P., Comité Syndical
National de Retraite Bâtirente Inc., Matrix
Asset Management Inc., Gestion Férique,
and Montrusco Bolton Investments Inc.

Invesco Canada Ltd., Northwest & Ethical
Investments L.P., Comité Syndical National
de Retraite Bâtirente Inc., Matrix Asset
Management Inc., Gestion Férique et
Montrusco Bolton Investments Inc.

Applicants

Demandereses

- and -

- et -

The Trustees of the Labourers' Pension
Fund of Central and Eastern Canada, The
Trustees of the International Union of
Operating Engineers Local 793 Pension
Plan for Operating Engineers in Ontario,
Sjunde SP-Fonden, David Grant, Robert
Wong, Sino-Forest Corporation, Ernst &
Young LLP, BDO Limited (formerly
known as BDO McCabe Lo Limited), Allen
T. Y. Chan, Kai Kit Poon, David J. Horsley,
Credit Suisse Securities (Canada), Inc., TD
Securities Inc., Dundee Securities
Corporation, RBC Dominion Securities
Inc., Scotia Capital Inc., CIBC World
Markets Inc., Merrill Lynch Canada Inc.,
Canaccord Financial Ltd., Maison

The Trustees of the Labourers' Pension Fund
of Central and Eastern Canada, The Trustees
of the International Union of Operating
Engineers Local 793 Pension Plan for
Operating Engineers in Ontario, Sjunde
SP-Fonden, David Grant, Robert Wong,
Sino-Forest Corporation, Ernst & Young
LLP, BDO Limited (anciennement connue
sous le nom de BDO McCabe Lo Limited),
Allen T. Y. Chan, Kai Kit Poon, David J.
Horsley, Credit Suisse Securities (Canada),
Inc., TD Securities Inc., Dundee Securities
Corporation, RBC Dominion Securities Inc.,
Scotia Capital Inc., CIBC World Markets
Inc., Merrill Lynch Canada Inc., Canaccord
Financial Ltd., Maison Placements Canada

Placements Canada Inc., Credit Suisse Securities (USA) LLC, Merrill Lynch, Pierce, Fenner & Smith Incorporated (Successor by merger to Bank of America Securities LLC) and Pöyry (Beijing) Consulting Company Limited

Inc., Credit Suisse Securities (USA) LLC, Merrill Lynch, Pierce, Fenner & Smith Incorporated (société remplaçante à l'issue de la fusion de Bank of America Securities LLC) et Pöyry (Beijing) Consulting Company Limited

Respondents

Intimés

JUDGMENT

JUGEMENT

The applications for leave to appeal from the judgments of the Court of Appeal for Ontario, Numbers M42068 and M42399, 2013 ONCA 456, dated June 26, 2013 and Numbers C566961, M42436 and M42453, dated June 28, 2013, are dismissed with costs to the respondents The Trustees of the Labourers' Pension Fund of Central and Eastern Canada, The Trustees of the International Union of Operating Engineers Local 793 Pension Plan for Operating Engineers in Ontario, Sjunde SP-Fonden, David Grant and Robert Wong, the respondent Sino-Forest Corporation, the respondent Ernst & Young LLP and the respondents Credit Suisse Securities (Canada), Inc., TD Securities Inc., Dundee Securities Corporation, RBC Dominion Securities Inc., Scotia Capital Inc., CIBC World Markets Inc., Merrill Lynch Canada Inc., Canaccord Financial Ltd., Maison Placements Canada Inc., Credit Suisse Securities (USA) LLC and Merrill Lynch, Pierce, Fenner & Smith Incorporated (Successor by merger to Bank of America Securities LLC).

Les demandes d'autorisation d'appel des arrêts de la Cour d'appel de l'Ontario, numéros M42068 et M42399, 2013 ONCA 456, daté du 26 juin 2013 et numéros C566961, M42436 et M42453, daté du 28 juin 2013, sont rejetées avec dépens en faveur des intimées The Trustees of the Labourers' Pension Fund of Central and Eastern Canada, The Trustees of the International Union of Operating Engineers Local 793 Pension Plan for Operating Engineers in Ontario, Sjunde SP-Fonden, David Grant et Robert Wong, de l'intimée Sino-Forest Corporation, de l'intimée Ernst & Young LLP et des intimées Credit Suisse Securities (Canada), Inc., TD Securities Inc., Dundee Securities Corporation, RBC Dominion Securities Inc., Scotia Capital Inc., CIBC World Markets Inc., Merrill Lynch Canada Inc., Canaccord Financial Ltd., Maison Placements Canada Inc., Credit Suisse Securities (USA) LLC et Merrill Lynch, Pierce, Fenner & Smith Incorporated (société remplaçante à l'issue de la fusion de Bank of America Securities LLC).

J.C.S.C.