

Urquhart

Subject: FW: Response to the Feb 8th, 2010 Proposed Settlement

From: Mark Zigler [<mailto:mzigler@kmlaw.ca>]

Sent: Thursday, February 18, 2010 6:58 PM

To: Lawrence Clooney; Andrea McKinnon; Barry Wadsworth; Dan Goldstein (Teamsters Lawyer); Susan Philpott

Cc: Pierre Lebrun (Teamsters); Greg McAvoy (LTD); Josee Marin (LTD); Lee Lockwood (LTD); Sylvain de Margerie (LTD);

CNELTD; Susan Philpott; Andrea McKinnon; Ron Olsen; Levy, Tom; RFNDE@yahoogroups.ca; sroule.nrpc@gmail.com;

Frank Mills; balabanianvahe@bell.net; Arlene Plante (LTD); kiaspectra2005@hotmail.com; Francois Meunier;

michaelmoorcroft@hotmail.com; Tony Marsh; leisurelodge@sympatico.ca; Diane Urquhart; rayhounsell@gmail.com; Nanc

Ekiert (LTD); Sue Kennedy

Subject: RE: Response to the Feb 8th, 2010 Proposed Settlement

Mr. Clooney:

Neither the Trustee Act of Ontario or the Nortel HWT Trust documents require the trustee to personally fund the Nortel health and disability income benefits. Nothing in the trust documentation requires Nortel to pre-fund them either, let alone Nortel's directors. Any litigation alleging this is doomed to fail and we will not waste time and money on baseless litigation. However, we have passed on your concern to the Company and the Monitor. While we share your view on the immorality of self funding LTD benefits, unfortunately such activity is legal. Mark Zigler.

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

From: Lawrence Clooney [<mailto:lkclooney@hotmail.com>]

Sent: February 18, 2010 10:30 AM

To: Mark Zigler; Andrea McKinnon; "grubenstein@goodmans.ca"; Barry Wadsworth; Dan Goldstein (Teamsters Lawyer); Susan Philpott

Cc: Pierre Lebrun (Teamsters); Greg McAvoy (LTD); Josee Marin (LTD); Lee Lockwood (LTD); Sylvain de

Margerie (LTD); CNELTD; Susan Philpott; Andrea McKinnon; Ron Olsen; Levy, Tom; RFNDE@yahoogroups.ca;

sroule.nrpc@gmail.com; Frank Mills; balabanianvahe@bell.net; "johannink@mac.com"; Arlene Plante (LTD);

kiaspectra2005@hotmail.com; "wacheski@gmail.com"; Francois Meunier; "maccampb@gmail.com";

michaelmoorcroft@hotmail.com; "p.d.klein@rogers.com"; Tony Marsh; "balabanianvahe@sympatico.ca";

lkclooney@hotmail.com; leisurelodge@sympatico.ca; "bgunhouse@msn.com"; "barryblack.nrpc@gmail.com";

"bnmk@sympatico.ca"; Diane Urquhart; "blclark.ca@gmail.com"; "chuck.mcewan@sympatico.ca";

"donna_hoskin1@sympatico.ca"; "m-d-agnew@sympatico.ca"; "david@jeanes.ca"; "dbtreen@yahoo.ca";

"earlsills@hfx.eastlink.ca"; "ericandsylvia@sympatico.ca"; "erskine.lowe@sympatico.ca";

"johne.chatterley@sympatico.ca"; "kenshaw4@telus.net"; rayhounsell@gmail.com;

"rene_lamontagne@hotmail.com"; Nanc Ekiert (LTD); Sue Kennedy

Subject: Response to the Feb 8th, 2010 Proposed Settlement

Mark Zigler,

The offer defined in the "Settlement Agreement" contained in the "Thirty-Sixth Report of the Monitor Date February 8, 2010" is unacceptable. In fact, I find the offer to protect the TRUSTEE morally repugnant and incomprehensible. The very thought of allowing the TRUSTEE to escape legal litigation eats away at my moral fiber. The reasons for these feelings and thoughts can be found in the Ontario Trustee Act:

<http://canlii.org/en/on/laws/stat/rso-1990-c-t23/latest/rso-1990-c-t23.html>

I formally request that you take the following individual offer to the current TRUSTEE of the Nortel Networks Employee Health & Welfare Trust requesting the following:

1. Fund 100% of the individual actuarially value of my Nortel Networks "Wage Loss Replacement Income" using a conservative interest rate of 2%.
2. Pay the annual cost of a premium family health care plan for the next 37 years.
3. Pay my out-of-pocket expenses and punitive damages of \$250,000 US.

Please note that I still maintain my Nortel Networks estate claim for losses not covered in the stated offer.

To the CC individuals,

You have my permission to distribute this email to all individuals and agencies interested in reviewing my offer.

Lawrence Clooney