

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. c-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT  
OF NORTEL NETWORKS CORPORATION, NORTEL NETWORKS LIMITED,  
NORTEL NETWORKS GLOBAL CORPORATION, NORTEL NETWORKS  
INTERNATIONAL CORPORATION AND NORTEL NETWORKS  
TECHNOLOGY CORPORATION**

**APPLICATION UNDER THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED**

**AFFIDAVIT OF JOSEE MARIN  
(Sworn March 2, 2010)**

I, JOSEE MARIN, of the City of Vankleek Hill, in the Province of Ontario,  
**SOLEMNLY AFFIRM AS FOLLOWS:**

1. I am an employee of Nortel Networks Corporation, am currently on long-term disability benefits ("LTD"), am directly affected by the outcome of the proceedings herein, and as such, I have direct knowledge of the matters to which I hereinafter depose, except those I state to be based on information and belief. All these matters, I do verily believe to be true.

**Introduction**

2. I am an employee of Nortel Networks Limited ("Nortel") and am currently not working due to illness in respect of which I receive long term disability ("LTD") income benefits. I have been receiving LTD income benefits from Nortel since the fall of 2005 although I have been disabled since March 13, 2002.

3. I am part of the Canadian Nortel Employees on Long Term Disability ("CNELTD") internet group which had the purpose of organizing all non-unionized employees receiving or entitled to receive disability income benefits by or through Nortel ("The LTD Beneficiaries") and who are represented by Koskie Minsky LLP ("KM"). This internet Yahoo! group was deemed to be the only official channel through which to receive legal information and to discuss and submit our questions or concerns.

4. I am also a member of RFNDE (Rights for Nortel Disabled Employees) which is a different internet group born of the need to discuss and share information freely in order to get answers about our situation and its possible solutions. The creation of this second group was necessary because we felt that the CNELTD was being censored and controlled by our Court-appointed representative, Sue Kennedy, and the Legal Steering Committee ("LSC"), rendering impossible any open communication between members.

5. I am submitting this affidavit on my behalf and on behalf of others members of CNELTD and RFNDE. The purpose is to give important information to this Court regarding the situation within the LTD group which might otherwise be overlooked.

### **Personal Circumstances**

6. I am a 41-year old single mother and reside in the City of Vankleek Hill, Ontario.

7. Before becoming ill in 2002, I was an active mother who lived a modest but happy existence. At that time, I had to deal with the diagnosis of being maybe disabled for life. Four years of my life were spent in hardship because Nortel refused to pay my LTD, all that time I had to cope with the fact I was disabled and try to adapt to the new me.

8. I drove my parents into hardship with me and my father is still today feeling the pain. I learned at the time that my son was also sick, and he suffers from kidney disease, has pulmonary scarring that causes his oxygen to be obstructed and his heart is enlarged.

9. I suffer from numerous medical conditions which leave me completely disabled from any gainful employment. I am environmentally sensitive, which means that I can't live just anywhere or my condition will deteriorate. I also suffer from scleroderma which is a terminal illness that causes the collagen under the skin to harden, eventually causing a mummification of all the organs in the body and ultimately results in death.

10. I also suffer from Crohn's disease which is an inflammatory bowel disease that is aggravated by stress. In addition, I suffer from anaphylaxis, which is an allergic reaction (can be triggered by environment, food, etc.) which triggers an inflammatory response in the whole body and can lead to death in a matter of minutes if not immediately treated with antihistamine and epinephrine injections.

11. In addition, I suffer from asthma, orthostatic intolerance, cardiac arrhythmia, chronic fatigue and fibromyalgia. I am in pain all the time and in the last year my condition has started to worsen as a result of unbearable stress.

12. My LTD benefit provides me with approximately \$35,00 per annum. I still have a student loan that I am repaying at the rate of \$140 per month and my medical expenses that are not covered by my medical plan average \$700 per month out-of-pocket. I am currently living in a small modest home built to suit my physical and medical needs. Without my LTD benefits, I am going to be put in a situation where I will be unable to survive.

### **The Process Has Been Unfair**

13. The representation of our LTD group has never been democratic. Sue Kennedy was appointed by the Court without having been elected to represent the group. In my view, Sue Kennedy was unable to accomplish the task (for example, questions from LTD employees for KM were not conveyed by her in a timely manner and were not thoroughly

